

From: (b)(6)
Sent: Thursday, July 21, 2011 9:02 AM
To: Blumberg, Jeffrey
Cc: (b)(6)
Subject: RE: NCLR board member

Okay. Yesterday I gave (b)(6) an email thread about this matter to review before today's meeting.

Yesterday I also emailed (b)(6) of NEWCapital LLC (the company that manages the property where the alleged incident occurred), to request that details about the matter be sent to CRCL in writing, if NEWCapital wants CRCL to review the concerns. (b)(6) agreed to send such correspondence.

I'd first called (b)(6) this Monday to let her know how CRCL learned of this matter and to request more information. She told me at the time she had to take care of some urgent matters at work, and said she would call me back later that day. After not hearing from her, I called her again yesterday to follow up and let her know how to file a complaint with CRCL. She apologized for not calling, saying that it has been a hectic week at work. Later yesterday, I sent her an email to reiterate the procedure for sending a complaint to CRCL, including links to our website and the webpage with the Complaint Form.

(b)(6)

From: Blumberg, Jeffrey
Sent: Wednesday, July 20, 2011 9:08 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: NCLR board member

(b)(6)

(b)(5) So let's discuss this one tomorrow (b)(5)

Thanks,

Jeff

From: (b)(6)
Sent: Wednesday, July 06, 2011 4:32 PM
To: Blumberg, Jeffrey
Cc: (b)(6)
Subject: RE: NCLR board member

Okay. Unless you advise otherwise, I'll hold off on forwarding this to the CRCL account and asking that it be input as a Contact in the database.

If we plan to handle this as a Complaint or otherwise look into it further, I think we would want to ask the NGO to send more information, such as the name and alien number of the individual apprehended in that enforcement action and later deported.

From: Blumberg, Jeffrey
Sent: Wednesday, July 06, 2011 4:24 PM
To: (b)(6)
Cc: [Redacted]
Subject: FW: NCLR board member

Can we put on the list to discuss tomorrow?

From: (b)(6) [Redacted]@dhs.gov]
Sent: Wednesday, July 06, 2011 3:25 PM
To: (b)(6) [Redacted] Blumberg, Jeffrey; (b)(6) [Redacted]
Cc: Schlanger, Margo; Gersten, David; Kessler, Tamara; (b)(6) [Redacted]
Subject: Re: NCLR board member

Looping in Margo, Tamara, (b)(6) [Redacted] and David.

(b)(6) [Redacted]
Senior Policy Advisor
Section Lead, Community Engagement Section
Office for Civil Rights and Civil Liberties
Office of the Secretary
US Department of Homeland Security
202-(b)(6) [Redacted] (Mobile)
(b)(6) [Redacted]@hq.dhs.gov

Sent from my BlackBerry wireless communicator

Duplicate

SHORT FORM COMPLAINT CLOSURE RECOMMENDATION

To: Tamara Kessler, Deputy Office for Programs and Compliance
From: (b)(6) Policy Advisor, Compliance Branch
Date: October 28, 2011
Complaint: 11-10-ICE-0309

Recommendation:

(b)(5)

Complaint Synopsis:

By email dated July 1, 2011, a National Alliance of La Raza ("La Raza") Immigration Legislative Analyst from La Raza's Immigration Policy Project reported to the CRCL Community Engagement Section (CE) that during a June 2011 La Raza Board meeting at which Homeland Security Secretary Janet Napolitano was present, (b)(6) a Board Member of La Raza and the CEO of NewCapital LLC ("NewCapital") in Los Angeles, California, spoke about a U.S. Immigration and Customs Enforcement (ICE) enforcement action in which children were left behind in a building after their mother was removed from that building. The La Raza Board staff member stated that, according to (b)(6) account, ICE officers visited a building managed by NewCapital LLC at 3 or 4 a.m. on an unspecified day during Labor Day weekend in 2010, knocked on the door and entered the building (where most of the tenants are working single mothers), and removed a mother from the building without giving her an opportunity to make childcare arrangements for her children, ages 7 and 12 years old, who had been sleeping. The children were left unsupervised until other family members were contacted by tenants in the building and came to get the children. The mother has since been deported to Mexico, and the children are living with their father.

Additionally, (b)(6) stated that ICE agents had been parked outside of that building for three (unspecified) days, waiting for tenants they apparently wanted to pick up. The property manager then asked the ICE agents if they had warrants. The ICE agents responded that they did not, and "eventually departed."

The La Raza staff member who reported the allegations to CRCL did not write to us as a representative of (b)(6) or NewCapital LLC. The message included no identifying information on the deported mother or the location of the building.

Suggested closure method(s):

(b)(5)

Protected by deliberative process privileges

Recommendation:

(b)(5)

(b)(5)

Recommendation Accepted

TJM

Not Accepted:

Further Action Required:

Protected by deliberative process privileges

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-11-1161 11-10-ICE-0309 NEWCapital LLC

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-10-03 13:24	Create	Component Referenced	ICE	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Summary	On July 1, 2011, CRCL received informal email correspondence from the National Alliance of La Raza in regard to concerns that were first reported verbally to Secretary Napolitano by the CEO of NewCapital LLC. Ms. (b)(6) Allegedly, over la	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Executive Summary	On July 1, 2011, CRCL received informal email correspondence from the National Alliance of La Raza in regard to concerns that were first reported verbally to Secretary Napolitano by the CEO of NewCapital LLC. Ms. (b)(6) Allegedly, over la	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Days to Process	94	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Date to CRCL	07/01/2011	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Date to DHS	07/01/2011	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Date on Correspondence	07/01/2011	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Sender Type	NGO/Organization	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Method of Receipt	Email	7939	(b)(6)	User Change
DhsComplaint	2011-10-03 13:24	Create	Entry Date	10/03/2011	7939	(b)(6)	User Change
DhsComplaintAction	2013-08-11	Update	Reporting	In July 2011, an NGO staff member reported to CRCL that during a June 2011 meeting at which Homeland Security Secretary Janet Napolitano was present, a	106321	(b)(6)	User

DHS-004-0000513

	15:08		Summary	Board Member of the NGO and the CEO of a firm in Los Angeles, California, spoke about an ICE enforcement		(b)(6)	Change
DhsComplaintAction	2011-10-28 14:31	Create	Internal Summary	By email dated July 1, 2011, a National Alliance of La Raza ("La Raza") Immigration Legislative Analyst from La Raza's Immigration Policy Project reported to the CRCL Community Engagement Section (CE) that during a June 2011 La Raza Board meeting at which	106321		User Change
DhsComplaintAction	2011-10-28 14:31	Create	Action Date	10/28/2011	106321		User Change
DhsComplaintAction	2011-10-28 14:31	Create	Action	Closed - Short Form/No Further Action	106321		User Change
DhsComplaintAction	2011-10-28 14:31	Create	Reporting Summary	In July 2011, a National Alliance of La Raza ("La Raza") Immigration Legislative Analyst from La Raza's Immigration Policy Project reported to CRCL that during a June 2011 La Raza Board meeting at which Homeland Security Secretary Janet Napolitano was pre	106321		User Change
DhsComplaintAction	2011-10-28 14:31	Create	Document	Short Form 11-10-ICE-0309_Signed 10-28-11.pdf	106321		User Change
DhsComplaintAction	2011-10-28 13:26	Create	Action Date	10/07/2011	106320		User Change
DhsComplaintAction	2011-10-28 13:26	Create	Action	Short Form	106320		User Change
DhsComplaintAction	2011-10-06 12:23	Create	Action	Back from Officer	106168		User Change
DhsComplaintAction	2011-10-06 12:23	Create	Comments	Short Form assign to (b)(6)	106168		User Change
DhsComplaintAction	2011-10-06 12:23	Create	Primary Assignment	(b)(6)	106168		User Change
DhsComplaintAction	2011-10-06 12:23	Create	Action Date	10/06/2011	106168		User Change
DhsComplaintAction	2011-10-06 12:22	Create	Action	Recommendation Review	106167		User Change
DhsComplaintAction	2011-10-06 12:22	Create	Comments	Short Form assign to (b)(6)	106167		User Change
DhsComplaintAction	2011-10-06	Create	Action Date	10/06/2011	106167		User

	12:22					(b)(6)	Change
DhsComplaintAction	2011-10-04 11:37	Create	Action	Awaiting Recommendation	106114		User Change
DhsComplaintAction	2011-10-04 11:37	Create	Comments	On September 27, 2011, Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint assigned to (b)(6)	106114		User Change
DhsComplaintAction	2011-10-04 11:37	Create	Action Date	10/04/2011	106114		User Change
DhsComplaintAction	2011-10-04 11:36	Create	Action	IG Declines/Back from IG	106113		User Change
DhsComplaintAction	2011-10-04 11:36	Create	Action Date	10/04/2011	106113		User Change
DhsComplaintAction	2011-10-04 11:36	Create	Document	11-10-ICE-0309 (OIG Response 10.4.2011).pdf	106113		User Change
DhsComplaintAction	2011-10-03 13:31	Create	Action	Sent to IG	106099		User Change
DhsComplaintAction	2011-10-03 13:31	Create	Action Date	10/03/2011	106099		User Change
DhsComplaintAction	2011-10-03 13:30	Create	Action	Open a Complaint	106098		User Change
DhsComplaintAction	2011-10-03 13:30	Create	Comments	On September 27, 2011, Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint assigned to (b)(6)	106098		User Change
DhsComplaintAction	2011-10-03 13:30	Create	Action Date	09/27/2011	106098		User Change
DhsComplaintDocument	2011-10-03 13:26	Create	Document 1	7 1 2011 NewCapital LLC_CRCL email chain.pdf	85212		User Change
DhsComplaintDocument	2011-10-03 13:26	Create	Foreign Language	No	85212		User Change
DhsComplaintDocument	2011-10-03 13:26	Create	Document Type	Incoming Letter	85212		User Change
DhsComplaintDocument	2011-10-03 13:26	Create	Dateentered	10/03/2011	85212		User Change
DhsComplaintDocument	2011-10-03 13:26	Create	Document 2	7 1 2011 NewCapital LLC_NCLR board member.pdf	85212		User Change

DhsComplaintDocument	2011-10-27 14:21	Update	Document 2		85409	(b)(6)	User Change
DhsComplaintDocument	2011-10-27 14:17	Create	Document 1	7 21 2011 11-10-ICE-0309_CRCL_email_thread.pdf	85409		User Change
DhsComplaintDocument	2011-10-27 14:17	Create	Foreign Language	No	85409		User Change
DhsComplaintDocument	2011-10-27 14:17	Create	Document 2	7 21 2011 11-10-ICE-0309_CRCL_email_thread re NewCapital LLC Complaint.pdf	85409		User Change
DhsComplaintDocument	2011-10-27 14:17	Create	Dateentered	10/27/2011	85409		User Change
DhsComplaintDocument	2011-10-27 14:17	Create	Comments	Internal CRCL email threads re NewCapital LLC complaint (July 2011 and August 2011)	85409		User Change
DhsComplaintDocument	2011-10-27 14:17	Create	Document Type	Miscellaneous Material/Other	85409		User Change
DhsComplaintIssue	2011-10-28 16:44	Update	Comments	No specific date given or location provided.	13204		User Change
DhsComplaintIssue	2011-10-28 16:44	Update	Incident Location Type	Residence	13204		User Change
DhsComplaintIssue	2011-10-28 16:44	Update	State	California - CA	13204		User Change
DhsComplaintIssue	2011-10-28 16:44	Update	Incident Location	Los Angeles Area	13204		User Change
DhsComplaintIssue	2011-10-28 16:43	Create	Comments	No specific date given	13204		User Change
DhsComplaintIssue	2011-10-28 16:43	Create	Redirect to Subject	No	13204		User Change
DhsComplaintIssue	2011-10-28 16:43	Create	Ongoing	No	13204		User Change
DhsComplaintIssue	2011-10-28 16:43	Create	Primary Issue	Yes	13204		User Change
DhsComplaintIssue	2011-10-28 16:43	Create	Situation	DHS law enforcement activity	13204		User Change
DhsComplaintIssue	2011-10-28 16:43	Create	(b)(5)	(b)(5)	13204		User Change
DhsComplaintIssue	2011-10-28 16:43	Create	Incident Date	09/01/2010	13204		User Change
DhsComplaintPartiesInvolved	2011-10-03 14:04	Create	Last Name	(b)(6)	22311		User Change
	2011-						

DhsComplaintPartiesInvolved	2011-10-03 14:04	Create	Comments	CEO of NEWCapital LLC	22311	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:04	Create	Contact Type	Source	22311	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:04	Create	First Name	(b)(6)	22311	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:03	Create	Phone	213 (b)(6)	22310	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:03	Create	Last Name	(b)(6)	22310	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:03	Create	Email	(b)(6)@newcapital-llc.com	22310	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:03	Create	Comments	VP of Operations at NEWCapital LLC	22310	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:03	Create	Contact Type	Source	22310	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:03	Create	First Name	(b)(6)	22310	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:01	Create	Last Name	NEWCapital LLC	22309	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:01	Create	Contact Type	Sender	22309	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:00	Create	Phone	202 (b)(6)	22308	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:00	Create	Last Name	The National Alliance of La Raza ("La Raza")	22308	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:00	Create	Email	(b)(6)@nclr.org	22308	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-03 14:00	Create	Contact Type	Source	22308	(b)(6)	User Change

From: (b)(6)
To:
Cc:
Subject: RE: CRCL Complaint Number 11-11-ICE-0294
Date: Tuesday, October 04, 2011 10:36:39 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

(b)(5)

If you have any questions concerning this matter, you may contact (b)(6) Deputy Assistant
Inspector General for Investigations-Field Operations at 202-(b)(6)

From: (b)(6)@dhs.gov]
Sent: Tuesday, September 27, 2011 12:18 PM
To: (b)(6)
Cc:
Subject: RE: CRCL Complaint Number 11-11-ICE-0294

Hello (b)(6)

Please provide me with a response on the below matter. Based on my records CRCL has not received a response yet from the OIG.

Thank you

(b)(6)

Office for Civil Rights & Civil Liberties
Department of Homeland Security
(202) 357-(b)(6) (phone)
(202) (b)(6) (bb)
(b)(6)@dhs.gov

From: (b)(6)
Sent: Tuesday, September 06, 2011 12:27 PM
To: (b)(6)
Cc:
Subject: CRCL Complaint Number 11-11-ICE-0294

(b)(6)

Summary of new complaint for your review:

On August 24, 2011, CRCL received email correspondence from (b)(6) of El Sol JNRC, on behalf of two men, allegedly two casually dressed ICE immigration agents approached the men while they were working on a boat, questioned them about their immigration status, then wrote on a torn piece of paper an address and time and told them to go there the following day. The address for the local Border Patrol Station, 3301 Lake Shore Dr., Riviera Beach, Florida 33404. Atty. (b)(6) states that the persons could be impersonating immigration agents or real immigration agents that abusing their authority. Allegedly, in another incident involving one of the same immigration agents who spoke Spanish and identified himself as Puerto Rican, he regularly went to the homes of immigrants in the area, dressed in black, showed a pistol, and told immigrants that he was ICE, and they needed to pay him money, or they would be arrested.

Thank you.

(b)(6)

Program Analyst
Compliance Branch
Office for Civil Rights & Civil Liberties
Department of Homeland Security

(b)(6)

Subject: Complaint regarding ICE or Border Patrol officials, Pt St. Lucie, Florida
Attachments: margo schlanger letter.pdf

From: (b)(6)@bellsouth.net
Sent: Friday, August 26, 2011 10:45 AM
To: Schlanger, Margo J
Cc: (b)(6)
Subject: Complaint regarding ICE or Border Patrol officials, Pt St. Lucie, Florida

Please see attached letter, regarding what appear to be either bogus "Immigration officers," or officers acting outside the scope of their authority.

Hard copy of letter with enclosure to follow by regular US mail.

(b)(6)
Volunteer Attorney
El Sol JNRC, Inc.
Fla. Bar No. (b)(6)
106 Military Trail
Jupiter, FL 33458
561 (b)(6) (El Sol)
561 (b)(6) (cell)



El Sol, Jupiter's Neighborhood Resource Center, Inc.
106 Military Trail
P.O. Box 7682
Jupiter, Florida 33458
561-745-9860
elsolnrc1@bellsouth.net
www.friendsofelsesol.org

August 26, 2011

BY US MAIL AND E-MAIL

Margo Schlanger
Officer
Office for Civil Rights and Civil Liberties
Department of Homeland Security
Washington, DC 20528

Re: Complaint

Dear Ms. Schlanger:

I met you in June, at Krome, when you met with different community groups to explain certain revisions in Secure Communities and also to talk about the function of your office. I am a volunteer lawyer and a board member working in El Sol, a day labor center in Jupiter, Florida.

In that capacity, I was consulted by one of the center's members about a very strange situation, which I want to bring to your attention, for possible investigation. He wanted to know what he should do. If you are not the appropriate person for this complaint, perhaps you can refer it to the proper office, or let me know to whom it should be referred.

In late July of this year, two young men were sent out for work from here, to assist a man with cleaning his boat. The boat was kept in a marina about 30 miles from here, in Port St. Lucie, Florida. The two men did their work, for approximately six and one-half hours. Apparently at the end of that time, two men approached first the "padron" and asked, why do you use people from El Sol, don't you know, they are all illegal? Why don't you hire Americans? According to my source, the padron explained that this was just a short term job, and that's why he hired people from El Sol, that it was easy to hire people from there just to work a day or two on a job.

The two men were dressed very casually in black shorts and blue t-shirts and wearing boat shoes. None of their clothing in any way identified them as government agents. They arrived in a black, Explorer-type vehicle, which also did not have any marks to identify it as a government vehicle. One of the agents then spoke to the workers. He identified himself as an immigration agent, and supposedly showed a badge (but did not permit them to examine it). He had (b)(6) was (b)(6) He spoke Spanish, and identified himself as Puerto Rican.

The other seemed to be an American and did not speak. He was (b)(6)

(b)(6)

He was also wearing (b)(6)
shoes.

The one who spoke Spanish asked the workers to show him their i.d., which they did. He showed a wallet, which appeared to have a shield in it, but he quickly closed the wallet, so they did not have a chance to examine it. He took pictures of them with a cellphone. After doing this, he wrote on a small piece of paper torn out of a spiral notebook:

(b)(6)

Riviera Beach Fl

33404

10:00 a.m.

A copy of this paper is enclosed. The purported agent told the two men they should show up at that address the following day. The address is that of Border Patrol, in our area. The men did not go there.

This seems to be a case of either people impersonating immigration agents, or, if they were actually immigration agents, of agents acting outside of the rules and regulations governing their conduct. An actual immigration agent would not simply write on a piece of torn out notebook paper the address of Border Patrol and direct the persons to turn themselves in there.

My concern about this incident is even stronger because of some incidents which happened in our area a few years ago.

In those incidents, a man who was described as speaking Spanish with a Puerto Rican accent went to the homes of immigrants in our area. He dressed in black. He carried and showed a pistol, and told the immigrants that he was with ICE, and they needed to pay him money, or they would be arrested. At that time, we made complaints to local police in the town of Jupiter and to our sheriff of Palm Beach County, but to my knowledge, the person was never found.

At this time, I do not feel comfortable giving the names of the two persons who were the victims of this operation, but if you determine it is necessary to interview them, I would be willing to discuss the possibility with the client, on appropriate assurances of protection.

Please do not hesitate to contact me, if you need additional information or if there is any additional assistance I can provide. Thank you for the work you are doing and for your assistance.

Sincerely,

/s/ (b)(6)

(b)(6)

Copy to: (b)(6) FIAC
(b)(6) IC and PBCCIR



Homeland
Security

September 6, 2011

Via Electronic Mail

(b)(6)

El Sol JNRC, Inc.

(b)(6)@bellsouth.net

Re: Complaint No. 11-11-ICE-0294 on behalf of Anonymous

Dear Atty. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on August 24, 2011. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by this Office. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL will contact you with the anticipated course of investigation for your complaint and will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, see our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter. Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to www.dhs.gov/CRCL. To learn more about the Privacy Act, go to the Federal Information Center, www.pueblo.gsa.gov.



**OFFICE FOR CIVIL RIGHTS & CIVIL LIBERTIES (CRCL)
REFERRED COMPLAINT CLOSURE RECOMMENDATION**

To: Jeffrey Blumberg
From: (b)(6)
Date: October 24, 2012
Complaint: 11-11-ICE-0294, El Sol JNRC, Inc.

Recommendation:

(b)(5)

Complaint Synopsis:

On September 15, 2011, CRCL received a complaint submitted via email from (b)(6) a volunteer attorney at El Sol JNRC, Inc. The complaint alleges that in July of 2011, a gentleman who had brought on day laborers from El Sol to clean a boat, was approached by two men, one of whom apparently identified himself as an ICE agent. One alleged agent spoke Spanish, asked the two laborers for identification which they provided, and wrote an address on a piece of paper. The address was from a local Border Patrol station and he told the laborers to go there the next day to turn themselves in. The complaint alleges that these ICE agents were either posing as ICE agents or acting outside of their authority.

Suggested closure method(s):

(b)(5)

Explanation:

(b)(5), (b)(6)

(b)(5)

Recommendation:

Recommendation Accepted

Not Accepted: _____

Further Action Required : _____

Protected by Attorney-Client and Deliberative Process Privileges



**Homeland
Security**

October 31, 2012

(b)(6)

El Sol JNRC, Inc.
106 Military Trail P.O. Box 7682
Jupiter, FL 33458

Re: Complaint No. 11-11-ICE-0294

Dear (b)(6)

This letter is in response to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from you on September 15, 2011 involving laborers from El Sol. Your complaint alleges that the laborers and another person were approached by two men who either posed as ICE agents or were acting outside of their authority. They gave a piece of paper to the laborers with an address written on it. The address was for the local Border Patrol station and your complaint alleges that the laborers were told to turn themselves in there the next day.

Under 6 U.S.C. § 345 and 42 U.S.C § 2000ee-1, CRCL has the responsibility to review and assess complaints against DHS employees and officials concerning violations of civil rights and civil liberties.

Accordingly, CRCL attempted to conduct an investigation into the allegations but you confirmed that you were unable to locate the laborers. Thus, the allegations could not reasonably be investigated and CRCL has recommended closure of this complaint. Should the laborers come forward and provide CRCL with more information, we will re-open this investigation.

This concludes our review of this complaint. If you have any additional information or allegations do not hesitate to provide the information.

Protected by Attorney-Client and Deliberative Process Privileges

We appreciate you bringing these matters to our attention; inquiries like this help the Department of Homeland Security meet its obligation to protect civil rights and civil liberties.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Protected by Attorney-Client and Deliberative Process Privileges

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-11-1112 11-11-ICE-0294 (b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-08-31 12:34	Create	Component Referenced	ICE	7888	(b)(6)	User Change
DhsComplaint	2011-08-31 12:34	Create	Summary	On August 24, 2011, CRCL received email correspondence from (b)(6) of EI Sol JNRC, on behalf of two men, allegedly two casually dressed ICE immigration agents approached the men while they were working on a boat, questioned them about their immigrati	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Executive Summary	On August 24, 2011, CRCL received email correspondence from (b)(6) of EI Sol JNRC, on behalf of two men, alleging that in late July of 2011 in Port St. Lucie, Florida, allegedly two casually dressed ICE immigration agents approached the men while the	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Days to Process	7	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Date to CRCL	08/24/2011	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Date to DHS	08/24/2011	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Date on Correspondence	08/24/2011	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Sender Type	NGO/Organization	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Method of Receipt	Email	7888		User Change
DhsComplaint	2011-08-31 12:34	Create	Entry Date	08/31/2011	7888		User Change

DHS-004-0000529

DhsComplaint	2011-10-31 09:22	Update	Summary	On August 26, 2011, CRCL received email correspondence from (b)(6) of El Sol JNRC, on behalf of two men, allegedly two casually dressed ICE immigration agents approached the men while they were working on a boat, questioned them about their immigrati	7888	(b)(6)	User Change
DhsComplaint	2011-10-31 09:22	Update	Date to DHS	08/26/2011	7888	(b)(6)	User Change
DhsComplaint	2011-10-31 09:22	Update	Date on Correspondence	08/26/2011	7888	(b)(6)	User Change
DhsComplaint	2011-10-31 09:22	Update	Days to Process	66	7888	(b)(6)	User Change
DhsComplaint	2011-10-31 09:22	Update	Date to CRCL	08/26/2011	7888	(b)(6)	User Change
DhsComplaint	2011-10-31 09:22	Update	Executive Summary	On August 26, 2011, CRCL received email correspondence from (b)(6) of El Sol JNRC, on behalf of two men, alleging that in late July of 2011 in Port St. Lucie, Florida, allegedly two casually dressed ICE immigration agents approached the men while the	7888	(b)(6)	User Change
DhsComplaintAction	2012-07-24 10:01	Update	Primary Assignment	(b)(6)	107700	(b)(6)	User Change
DhsComplaintAction	2012-06-13 10:56	Create	Primary Assignment	(b)(6)	107700	(b)(6)	User Change
DhsComplaintAction	2012-06-13 10:56	Create	Secondary Assignment	(b)(6)	107700	(b)(6)	User Change
DhsComplaintAction	2012-06-13 10:56	Create	Comments	06/13/2012 - assigned to (b)(6)	107700	(b)(6)	User Change
DhsComplaintAction	2012-06-13 10:56	Create	Action Date	10/03/2011	107700	(b)(6)	User Change
DhsComplaintAction	2012-06-13 10:56	Create	Action	Back from Officer	107700	(b)(6)	User Change
DhsComplaintAction	2013-04-03 11:13	Update	Document	Final SF Close Memo 11-11-ICE-0294.pdf	109803	(b)(6)	User Change

CRCL received a complaint in August, 2011 alleging

DhsComplaintAction	2013-04-03 11:13	Update	Reporting Summary	unidentified persons were posing as ICE agents, or that ICE agents were acting outside of their authority. (b)(5) opened the complaint	109803	(b)(6)	User Change
DhsComplaintAction	2013-04-03 11:12	Update	Action	Closed - IG	109803		User Change
DhsComplaintAction	2013-04-03 11:12	Update	Action Date	10/24/2012	109803		User Change
DhsComplaintAction	2013-04-03 11:12	Update	Internal Summary	(b)(5) CRCL was unable to contact them as well and closed the complaint.	109803		User Change
DhsComplaintAction	2013-04-03 11:05	Update	Action Date	10/24/2011	110017		User Change
DhsComplaintAction	2013-04-03 11:03	Create	Action	IG Retained in CRCL	110017		User Change
DhsComplaintAction	2013-04-03 11:03	Create	Action Date	04/03/2013	110017		User Change
DhsComplaintAction	2013-03-20 15:47	Create	Action Date	03/20/2013	109803		User Change
DhsComplaintAction	2013-03-20 15:47	Create	Action	IG Return To CRCL For Review	109803		User Change
DhsComplaintAction	2011-09-06 12:34	Create	Action Date	09/06/2011	105933		User Change
DhsComplaintAction	2011-09-06 12:34	Create	Document	8.24.2011 11-11-ICE-0294 (email).pdf	105933		User Change
DhsComplaintAction	2011-09-06 12:34	Create	Action	Acknowledgement Letter Sent	105933		User Change
DhsComplaintAction	2011-09-06 12:20	Create	Action Date	09/06/2011	105932		User Change
DhsComplaintAction	2011-09-06 12:20	Create	Action	Sent to IG	105932		User Change
	2011-						

DhsComplaintAction	09-06 12:17	Create	Action Date	08/31/2011	105931	(b)(6)	User Change
DhsComplaintAction	2011- 09-06 12:17	Create	Action	Open a Complaint	105931		User Change
DhsComplaintAction	2011- 09-06 12:17	Create	Comments	On August 31, 2011, Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint assigned to (b)(6)	105931		User Change
DhsComplaintAction	2011- 10-25 09:58	Create	Action Date	10/04/2011	106259		User Change
DhsComplaintAction	2011- 10-25 09:58	Create	Document	11-11-ICE-0294 (OIG Response 10.4.2011)_IG Keep.pdf	106259		User Change
DhsComplaintAction	2011- 10-25 09:58	Create	Action	IG Keeps	106259		User Change
DhsComplaintDocument	2011- 09-16 11:20	Create	Document Type	Incoming Letter	85036		User Change
DhsComplaintDocument	2011- 09-16 11:20	Create	Document 1	9 15 2011 (b)(6) (11-11-ICE-0294).pdf	85036		User Change
DhsComplaintDocument	2011- 09-16 11:20	Create	Dateentered	09/16/2011	85036		User Change
DhsComplaintDocument	2011- 09-16 11:20	Create	Foreign Language	No	85036		User Change
DhsComplaintDocument	2011- 09-16 11:20	Create	Comments	Copy of Email - CRCL received by mail Sept 25 2011	85036		User Change
DhsComplaintDocument	2012- 10-31 11:46	Create	Document 1	SF Close Letter 11-11-ICE-0294.pdf	88428		User Change
DhsComplaintDocument	2012- 10-31 11:46	Create	Dateentered	10/31/2012	88428		User Change
DhsComplaintDocument	2012- 10-31 11:46	Create	Foreign Language	No	88428		User Change
DhsComplaintDocument	2012- 10-31	Create	Document Type	Closed Letter	88428		User

DHS-004-0000532

	11:46					(b)(6)	Change
DhsComplaintDocument	2012-10-31 11:45	Create	Document 1	Final SF Close Memo 11-11-ICE-0294.pdf	88427		User Change
DhsComplaintDocument	2012-10-31 11:45	Create	Dateentered	10/31/2012	88427		User Change
DhsComplaintDocument	2012-10-31 11:45	Create	Foreign Language	No	88427		User Change
DhsComplaintDocument	2012-10-31 11:45	Create	Document Type	Short Form Doc	88427		User Change
DhsComplaintDocument	2011-08-31 12:55	Create	Document Type	Incoming Letter	84986		User Change
DhsComplaintDocument	2011-08-31 12:55	Create	Dateentered	08/31/2011	84986		User Change
DhsComplaintDocument	2011-08-31 12:55	Create	Foreign Language	No	84986		User Change
DhsComplaintDocument	2011-08-31 12:55	Create	Document 1	8 26 2011 (b)(6).pdf	84986		User Change
DhsComplaintIssue	2012-05-01 11:17	Create	Primary Issue	Yes	13486		User Change
DhsComplaintIssue	2012-05-01 11:17	Create	(b)(5)	(b)(5)	13486		User Change
DhsComplaintIssue	2012-05-01 11:17	Create	Redirect to Subject	No	13486		User Change
DhsComplaintIssue	2012-05-01 11:17	Create	Situation	DHS law enforcement activity	13486		User Change
DhsComplaintIssue	2012-05-01 11:17	Create	Ongoing	No	13486		User Change
DhsComplaintIssue	2012-05-01 11:17	Create	Incident Date	08/26/2011	13486		User Change
	2011-						

DhsComplaintPartiesInvolved	08-31 13:03	Create	Address Line 1	106 Military Trail	22229	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Last Name	(b)(6)	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	First Name	(b)(6)	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Prefix	Atty	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Other Organization	EI Sol JNRC, Inc.	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Alt Phone	561-(b)(6)	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Organization	Other	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Phone	561-(b)(6)	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Email	(b)(6)@bellsouth.net	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Zip Code	33458	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	State	Florida - FL	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	City	Jupiter	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 13:03	Create	Contact Type	Sender	22229		User Change
DhsComplaintPartiesInvolved	2011- 08-31 12:56	Create	Last Name	Anonymous	22228		User Change
DhsComplaintPartiesInvolved	2011- 08-31 12:56	Create	Contact Type	On Behalf Of	22228		User Change

From: (b)(6)
To:
Cc:
Subject: RE: CRCL Complaint Number 11-12-ICE-0303
Date: Wednesday, September 28, 2011 2:44:36 PM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)@dhs.gov]
Sent: Wednesday, September 28, 2011 10:45 AM
To: (b)(6)
Cc:
Subject: CRCL Complaint Number 11-12-ICE-0303

(b)(6)

Summary of new complaint for your review:

On September 20, 2011, CRCL received email correspondence from the Rights Working Group and the Tennessee Immigrant and Refugee Rights Coalition, alleging that on September 17, 2011 in Shelbyville, Tennessee, ICE Homeland Security Investigations (HSI) conducted a retaliatory raid targeting Latino community members, including a number who spoke out at the September 12, 2011 racial profiling hearing with various law enforcement entities, including: the Shelbyville Police Department, Bedford County Sheriff's Department, and Tennessee State Troopers.

Thank you.

(b)(6)

Program Analyst
Compliance Branch
Office for Civil Rights & Civil Liberties
Department of Homeland Security

(b)(6)

From: (b)(6)@dhs.gov]
Sent: Wednesday, September 21, 2011 11:54 AM
To: CRCL
Subject: FW: Letter and report from RWG and TIRRC
Attachments: RWG TIRRC Letter Sept 20 Schlanger.pdf; The Forgotten Constitution final.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please log this in as a new Contact. It involves a raid in Shelbyville, TN on September 17, 2011, conducted by ICE Homeland Security Investigations (HSI).

Thank you,

(b)(6)
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

From: Blumberg, Jeffrey
Sent: Wednesday, September 21, 2011 11:29 AM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Letter and report from RWG and TIRRC

Let's discuss at the next case opening.

Jeff

From: (b)(6)
Sent: Wednesday, September 21, 2011 11:19 AM
To: Blumberg, Jeffrey; (b)(6)
Subject: FW: Letter and report from RWG and TIRRC

FYI – don't know if Margo sent this to you before.

(b)(6)
Policy Advisor
Office for Civil Rights & Civil Liberties
Department of Homeland Security
Phone: (202) 357-(b)(6)
Office Cell: (202) (b)(6)
(b)(6)@dhs.gov



Please consider the environment before printing this e-mail message

From: (b)(6)
Sent: Wednesday, September 21, 2011 7:01 AM
To: (b)(6)
Cc: Schlanger, Margo; (b)(6)
Subject: Fw: Letter and report from RWG and TIRRC

Looping in the other (b)(6)

From: Schlanger, Margo [mailto:(b)(6)@dhs.gov]
Sent: Tuesday, September 20, 2011 10:12 PM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Letter and report from RWG and TIRRC

FYI.

Margo Schlanger
Officer for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
(b)(6)@dhs.gov
<http://www.dhs.gov/crci>



Homeland
Security

From: (b)(6) [mailto:(b)(6)@rightsworkinggroup.org]
Sent: Tuesday, September 20, 2011 9:13 PM
To: (b)(6)@dhs.gov
Cc: Morton, John; Mead, Gary; ivan.fong@dhs.gov; Moynihan, Timothy; vasmeen@pitts.dhs.gov; john.sandweg@hq.dhs.gov; RYAN, KELLY; Sameera Hafiz; Jumana Musa; (b)(6) (b)(6)@tnimmigrant.org
Subject: Letter and report from RWG and TIRRC

Apologies for not attaching the report to the previous message.

September 20, 2011

Dear Margo,

Please find attached a letter from the Rights Working Group and the Tennessee Immigrant and Refugee Rights Coalition. We look forward to meeting with some of your staff tomorrow.

(b)(6)

RIGHTS working group
1120 Connecticut Avenue NW, Suite 1100
Washington, DC 20036

T: 202.591 (b)(6)

F: 202 (b)(6)

Twitter: [@RWG_Margaret](#) and [@RightsWorking](#)

Join RWG today! www.rightsworkinggroup.org

Sign up for [RWG Alerts and Newsletter](#)

Host an event! Reflecting on Our Loss and Reclaiming Our Rights *National Week of Action* September 11-17, 2011



September 20, 2011

Ms. Margo Schlanger
Officer for Civil Rights and Civil Liberties
Office for Civil Rights and Civil Liberties
United States Department of Homeland Security
151 M Street NE
Washington, DC 20002

Dear Ms. Schlanger,

The Rights Working Group (RWG) contacted you in August to invite you to a racial profiling hearing in Shelbyville, Tennessee on September 12, 2011. This invitation was on behalf of a RWG member, the Tennessee Immigrant and Refugee Rights Coalition (TIRRC). TIRRC, along with local partners, organized the hearing to highlight the concerns of Latino residents of Shelbyville who are regularly stopped by various law enforcement entities: the Shelbyville Police Department, Bedford County Sheriff's Department, and Tennessee State Troopers, who are all either formally or informally working closely with Immigration and Customs Enforcement (ICE). Although you were unable to attend the hearing, (b)(6) attended to represent your office. (b)(6) listened to testimony at the hearing and after the formal event spoke with individuals about their personal experiences. During the hearing, community members shared disturbing stories of pretextual traffic stops and described the near-police state to which Latinos in Shelbyville are subject. We are attaching a new report from TIRRC, "The Forgotten Constitution," that further documents these experiences.

On September 17th, five days after this forum, ICE conducted a raid upon Shelbyville targeting Latino community members, including a number who spoke out at the September 12th hearing. The raids appear to be retaliatory in nature – an effort to intimidate community members who speak out against police and ICE abuses. Moreover, these actions have spread fear throughout the Latino community, which feels targeted and increasingly under siege by law enforcement whether it be ICE, state or local police. The result has been a severe chilling of speech in the community and increased fear of government agents. The Office for Civil Rights and Civil Liberties was in attendance at this forum for the purpose of listening to community concerns about civil rights abuses by state and local police and ICE. Days later, this same community was targeted by an immigration enforcement action leading to the chilling of free speech and further civil rights abuses.

We are requesting that your office begin an immediate investigation of this incident. We ask that your investigation examine ICE's actions and the impact of the raids on the civil rights of Shelbyville residents. Your immediate and effective response is paramount to reassuring communities that they can continue to provide information to government agencies such as OCRCL in order to report civil rights violations by ICE agents. Without swift and deliberate

action by you, the raid will have a broader chilling effect and send the message that your department is unwilling or unable to protect the free speech rights of those who have legitimate complaints about civil rights abuses by ICE.

We thank you and members of your office for meeting with us tomorrow, September 21st, and we look forward to discussing this matter further then.

Sincerely yours,

(b)(6)

Executive Director
Rights Working Group

(b)(6)

Executive Director
TIRRC

Cc: Kelly Ryan, Acting Deputy Assistant Secretary
Ivan Fong, General Counsel
Gary Mead, Executive Associate Director, Enforcement and Removal Operations
John Morton, Director of Immigration and Customs Enforcement
Timothy Moynihan, Assistant Director for the Office of Professional Responsibility
Yasmeen Pitts, ICE Public Engagement Officer
John Sandweg, Counselor to the Secretary

The Forgotten Constitution

Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

***A report prepared for the September 12, 2011
Racial Profiling Hearing in Shelbyville, TN***

Principal Authors: Sarah White and Salmun Kazerounian
Produced by the Tennessee Immigrant and Refugee Rights Coalition

The Forgotten Constitution

Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

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- 1. Executive Summary**
- 2. Interaction with Law Enforcement**
- 3. Booking and Detention in Bedford County**
- 4. Navigating the Court System**
- 5. Encounters with Immigration and Customs Enforcement (ICE)**
- 6. Efforts Undertaken by the Community Thus Far**

The Forgotten Constitution

Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Acknowledgements

This report was prepared by the following individuals and organizations: Latinos Unidos de Shelbyville (United Latinos of Shelbyville), Sarah White and Salmun Kazerounian, the Tennessee Immigrant and Refugee Rights Coalition, and Bill Geissler, longtime Shelbyville resident, stalwart supporter of the Latino community and member of SOCM (Statewide Organization for Community EmpowerMent). A special thanks goes to Sarah White, who worked tirelessly to compile the findings of advocates and community members. Also to be thanked are the panelists who have made the commitment to bear witness to the courage and suffering of Shelbyville's most vulnerable residents. Finally, a special acknowledgement goes to the courageous residents of Shelbyville, Tennessee, without whom this report would have been impossible.

The Forgotten Constitution

Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Panelists for the September 12, 2011 Racial Profiling Hearing in Shelbyville, TN

We extend a special appreciation to the members of the panel who were present to hear the testimony of Shelbyville community members. Panel members include:

Pastor David Carrera, Beth Sar Shalom Ministries

Associate Pastor Lindsey Wade, First Presbyterian Church, Shelbyville, TN

Pastor Kent Lewis, Christ Lutheran Church, Shelbyville, TN

Noel Johnson, Board President, SOCM

Beverly Watts, Executive Director, TN Human Rights Commission

Sameera Hafiz, Policy Director, Rights Working Group

The Forgotten Constitution

Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Monday, September 12, 2011

Executive Summary

Bedford County is exceptional for its large and vibrant immigrant and refugee communities, who live and work in the rolling hills of this rural county about an hour south of Nashville, Tennessee. Somali and Burmese refugees, Egyptian immigrants, and Latino immigrants are the backbone of local industry, working at poultry plants and on the walking horse farms that make Shelbyville – Bedford's county seat – famous. Many immigrants are small business owners, and many more have chosen to make their homes and raise their children here.

“To be an immigrant or refugee in Bedford County is to be treated with suspicion or outright hostility by one’s own government, whose offices still exhibit vestiges of the overt racial apartheid of years past.”

Despite immigrants' essential economic contributions to Bedford County, they face hostility and discrimination from all aspects of the criminal justice system, which works in close coordination with federal immigration enforcement authorities. Arrests of Latinos have intensified since Tennessee law changed in January 2011 to require jailers to ask arrestees their citizenship and report this information to ICE. Pervasive anti-immigrant sentiment coupled with misinterpretation of the scope of this law has resulted in an ongoing immigration inquisition by local law enforcement that has caused a steep increase in

detention and removal by ICE. Suspected immigrants are subjected to racial profiling and increased police surveillance. They are arrested and detained in county jail for minor traffic violations--often unlawfully--in order to facilitate their deportation. Immigrants and refugees are unable to meaningfully access government services and the court system, which means many of them are unable to vindicate their rights. Immigrants are mistreated by ICE officials, who have collaborated with locals engaged in explicitly racially discriminatory practices to entrap, interrogate, and arrest immigrants who clearly do not fit immigration enforcement priorities. Many immigrant victims of crime no longer trust law enforcement to protect them, and families have been torn apart by these arbitrary arrests. Families with children who have lived in the U.S. for their whole lives have had no choice but to uproot and relocate out of the country after the sudden removal of a caretaker or breadwinner. Law enforcement practices and the fear they have stirred in the community have thus resulted in a mass exodus of immigrants from Bedford County. To be an immigrant or refugee in Bedford County is to be treated with suspicion or outright hostility by one's own government, whose offices still exhibit vestiges of the overt racial apartheid of years past.

This report briefly outlines the abuse and discrimination immigrants in Bedford County face in each stage of the criminal justice system. Part 1 describes initial encounters with law enforcement officials. Part 2 discusses booking and detention procedures at the Bedford County Jail. Part 3 addresses problems experienced by immigrants attempting to navigate the Bedford County court system. Part 4 outlines the experience of immigrants who are taken into custody by Immigration and Customs Enforcement (ICE). Part 5 sketches efforts to address these problems through grassroots community organizing and advocacy.

The Forgotten Constitution

Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Interaction with Law Enforcement

Immigrants are targeted at disproportionate rates by officers of Bedford County law enforcement agencies, particularly the Shelbyville Police Department, as a pretext for making arrests that will enable jailers to contact ICE. These local officials regularly support and collaborate with a State Trooper employed by the Tennessee Highway Patrol. Law enforcement officers have routinely set up roadblocks and extra patrols around Latino groceries and markets. For instance, an owner of a local tortilleria reports that an officer with the Shelbyville Police Department, in conjunction with the State Trooper, set up a roadblock in front of his store, just outside of a business complex frequented by Latinos. The police officer stopped vehicles, most driven by Latinos, to check for drivers' licenses and IDs, even though they were obeying traffic laws.

Police who patrol Bedford County selectively enforce traffic laws and make pretextual traffic stops of Latino drivers in order to check for driver licenses and verify citizenship. Latino victims of police harassment report that they have been stopped by police allegedly to verify they are wearing a seatbelt that is visibly fastened, for driving less than 5 mph over the speed limit, or for no reason at all. Latinos who come into contact with law enforcement, particularly during traffic stops, are more likely than non-Latinos to be subject to arrest and detention for minor violations such as driving without a license. Arresting an immigrant driver ensures that ICE will be contacted at the jail; if an immigrant driver is cited and released, ICE will not be notified.

Reports from the Shelbyville Police Department obtained through a public records request verify that a disproportionate number of Latino drivers were arrested for traffic violations in the first quarter of 2011, and that a few police officers made the bulk of these arrests of Latinos. Of 74 reported arrests for traffic violations, 26 of those arrested were Latinos, and at least six other Latinos were omitted from the list of arrests provided by the police department. Thus, although Latinos make up only about 20 percent of the city's population, approximately 39% of arrests for driving license violations were arrests of Latinos. Arrests of Latino drivers were not equally distributed amongst



Miguel Gonzalez, long-time community member and Tortilla/Grocery store owner.

"In the beginning of this year, local police officers, the Sheriff's Department, and the TN Highway patrol were out in front of my store almost every day—they would come and park and just stay there. If local law enforcement really wanted to keep the community safe, they should have patrolled the residential areas nearby, where there were reports of break-ins. Instead, they focused on my store and the families doing nothing more than shop for their tortillas and food.

We are heavily surveilled as a community. Whether you are here legally or not, you are marked out if you have dark skin, hair, or if you speak English with an accent. We are still far, far from our ideals when we look at the practices of local law enforcement. I have been in Tennessee for nineteen years, and we need to educate our community and bring them into this society, rather than marginalize them and violate their civil and human rights."

Shelbyville police officers. Eleven of 23 Shelbyville police officers made arrests of 26 Hispanic drivers. Remarkably, just four officers made 62% of the total arrests of Latinos for traffic violations. Since Shelbyville police officers are assigned to patrol throughout the city rather than in a specific area, these statistics suggest that some officers may be intentionally targeting Latino drivers for traffic stops and arrests, perhaps in order to facilitate detention by ICE.

Latinos' individual experiences with the Shelbyville Police Department substantiate this statistical evidence of racial profiling. One Latino resident was pulled over by a Tennessee Highway Patrol State Trooper allegedly for speeding and immediately showed the officer his valid driver's license and proof of insurance. The officer then asked for the driver's green card. When the driver asked what authority the Trooper had to inquire about immigration, the Trooper demanded proof of his citizenship, stating that he "knew" the driver "was an illegal." The officer issued a citation for driving without a license, no proof of insurance, and no seatbelt, even though he had been given this documentation and the driver was visibly wearing a seatbelt. Latino drivers unable to produce a driver's license are typically arrested for driving without a license and transported to jail, where they are questioned about their national origin and reported to ICE. Officers have chosen to arrest parents for driving without a license even when they have small children with them in the car and no other caretaker is present.

Another recent victim of police harassment reports that he was pulled over without cause by one of the Shelbyville police officers responsible for the bulk of arrests of Latinos. The police officer refused to give a reason for pulling the driver over, and asked for the IDs of all occupants of the car. The driver was ultimately arrested and transported to jail for driving without a license, even though he was a longtime resident of Shelbyville, had no criminal record, and the officer had no reason to make the initial stop. Once at the jail, he was unlawfully detained after posting bond while the jailer waited for ICE to remove him, and he was only released through the aggressive advocacy of community members. Local law enforcement officers choose to arrest Latinos for minor traffic violations even when there are compelling reasons for them to exercise their discretion.

A single mother was recently involved in a minor fender-bender, for which she was not at fault. She explained to a Shelbyville police officer that she was a victim of severe domestic abuse in the process of submitting her VAWA self-petition to become a lawful permanent resident and was unable to produce a driver's license at this time. She was nevertheless arrested for driving without a license and detained in the Bedford County jail, where she was questioned about her national origin. She reports that she relied in the past on the Shelbyville police to help keep her safe from her abusive partner, but after her arbitrary arrest, she no longer trusted law enforcement to protect her from abuse and feared that she would be arrested too if she called for help.

Local law enforcement agencies' patrols, traffic stops, and arrests demonstrate a pattern of treating Latinos and other immigrants in a discriminatory manner.

The Forgotten Constitution

Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Booking and Detention in Bedford County

Immigrants face discrimination in booking and detention procedures at the Bedford County Jail, which is administered by the Bedford County Sheriff's Department and Sheriff Randall Boyce. Since at least 2007, the Bedford County Sheriff's Department has publicly sought to deport undocumented immigrants who come into contact with the criminal justice system for minor traffic violations like driving without a license. But the Department was never able to secure a 287(g) agreement with federal authorities. The Bedford County Sheriff's Department is now a zealous participant in Secure Communities, reporting all detainees who are born outside the United States to ICE pursuant to Tennessee law that went into effect January 2011. Unfortunately, the Bedford County Sheriff's Department has misconstrued this state law as a license to do whatever it takes to detain immigrants for ICE and facilitate their deportation, no matter if these practices are patently unlawful and unconstitutional. Immigrants are more likely to be held for long periods of time for minor traffic violations and to be held unlawfully without bond or after posting bond as a "courtesy" for ICE when there is no ICE detainer. Since January 2011, the unlawful practices of the Bedford County Sheriff's Department have resulted in as much as a tenfold increase in the number of immigrants detained for ICE – all at the expense of Bedford County's taxpayers. ICE has initiated deportation proceedings against most of those who have been unlawfully detained.

Under T.C.A. § 40-7-123, the Tennessee "Jailer Bill" that went into effect January 2011, standards issued by Tennessee's Peace Officer Standards Training (P.O.S.T.) Commission give jailers narrow directives to question detainees about their citizenship and make certain reports to ICE. It by no means suspends the constitutional rights of detainees or the obligations of jailers under state and federal law, nor does it deputize jailers to enforce federal immigration law by indefinitely detaining suspected undocumented immigrants. In Bedford County, the Sheriff's Department has systematically misinterpreted its authority under this law. Numerous department officials, including high-level supervisors, have cited to the Jailer Bill as justifying their refusal to facilitate the setting of a bail amount for immigrant detainees, even though the right to bond is enshrined in Tennessee's state constitution. Even when a bail amount has been set, many department officials have refused to let families post bond, stating that the Jailer Bill forbids them from accepting bond for an immigrant detainee until ICE officials have determined they will not pick up that person. As a result, immigrants have languished in Bedford County jail for days and

"So pervasive is the warped sense of responsibility within the Sheriff's Department for enforcing federal immigration law that even when a noncitizen successfully posted bond and secured his release, Sheriff's deputies went to the individual's home to re-arrest him less than twenty-four hours later ... jailers give a dizzying array of inaccurate interpretations of federal regulations, ever-evolving in response to community advocacy and legal education to justify their continued illegal detention of immigrants in the Bedford County Jail."

weeks longer than non-immigrants. Most do so without meaningful access to legal counsel, even when their only crime was driving without a license. Many are ultimately removed by ICE, even though the Bedford County Jail had detained them illegally. Only after systematic advocacy and legal education by community members have officers begun to allow immigrants to post bond.

The Bedford County Sheriff's Department has also systematically misconstrued federal regulations governing ICE detainers as justifying the discriminatory and illegal detention of many immigrants. Federal regulations give discretionary authority to ICE to request that local law enforcement detain individuals for up to 48 hours beyond the time they would otherwise have been entitled to release. 8 C.F.R. § 287.7 requires an immigration officer to issue Form I-247, the ICE detainer document, to the local jailor before requesting an individual's 48-hour detention. Officers at all levels in the Bedford County Sheriff's Department have routinely detained people beyond when they should have been released when they lack an ICE detainer, or the ICE detainer has long expired. In their conversations with advocates, jailers give a dizzying array of inaccurate interpretations of federal regulations, ever-evolving in response to community advocacy and legal education to justify their continued illegal detention of immigrants in the Bedford County Jail. Some jailers have told advocates that the federal regulations mandate 48 hours of additional detention time for all immigrant arrestees, regardless of whether ICE submits Form I-247. Some jailers have asserted that they may indefinitely hold immigrants who would otherwise be released until ICE decides whether or not to issue an ICE detainer. Most recently, jailers claim they cannot release a person until they have made a "courtesy call" or "courtesy fax" to ICE, which may take many hours and result in the issuance of an ICE detainer. These "courtesy" procedures are not provided in any statute or regulation.

Even when the jail has received Form I-247, the ICE detainer, jailers have habitually refused to release individuals upon expiration of the 48-hour clock. One method of circumventing the clear language of the 8 C.F.R. § 287.7 is to distort the moment at which the 48 hours begin to run. The Bedford County Sheriff's Department grossly overstates the amount of time they are allowed to hold someone pursuant to an ICE detainer. Sheriff Boyce has stated publicly that he believes if he arrests someone on a Friday, the 48 hours do not start to run until Monday, allowing him to hold that person until Wednesday. Others officers claim they must hold an immigrant over the weekend even if ICE hasn't issued a detainer. Another method is to simply disregard the 48 hours, and hold people until ICE arrives. On several occasions, jailers have maintained that they possess authority to unlawfully detain individuals because "ICE is on the way."

So pervasive is the warped sense of responsibility within the Sheriff's Department for enforcing federal immigration law that even when a noncitizen successfully posted bond and secured his release, Sheriff's deputies went to the individual's home to re-arrest him less than twenty-four hours later. When pressed by the Latino resident's family, Sheriff's Department officials admitted the sole reason for his re-arrest was to allow questioning by ICE, and to detain him pursuant to an ICE hold.

The policies of the Bedford County Sheriff's Department substantially increase jail time for immigrant arrestees who haven't been to court, haven't been convicted of a crime, and have usually been arrested for a minor traffic infraction. These inmates are presumed guilty, and their deportation by ICE is widely considered a foregone conclusion.

For example, one Bedford County resident was arrested for a minor traffic violation and held in Bedford County jail days after he should have been released. The jail lacked an ICE detainer, but jailers claimed they had an "oral" ICE hold and refused to release him when pressed. He was eventually arrested and deported by ICE, even though he was a victim of violent crime and was likely eligible for a U-Visa.

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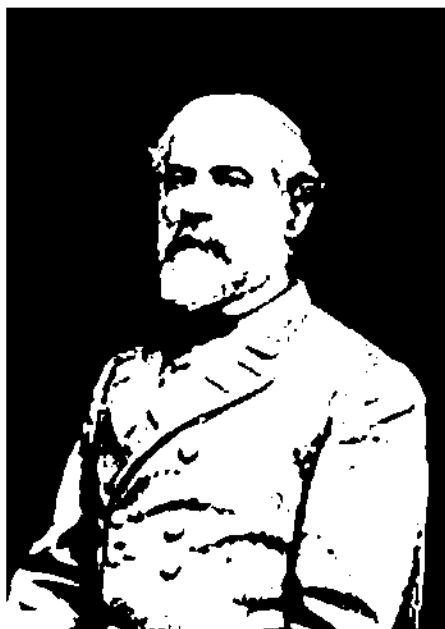
Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Navigating the Court System

A large painting of Confederate General Robert E. Lee hangs above the main doorway just inside the Bedford County criminal court, and is the only portrait in the courtroom. There is little justice here for immigrants who walk through these doors, in the shadow of that disciple of state racism and white supremacy.

Multiple reports by criminal defense counsel indicate that some local law enforcement officers are making notations reading “Not a U.S. Citizen” or “Non-citizen” on the arrest report or criminal citation – the document that provides the basis for the judicial proceeding against a criminal defendant. Latino drivers are consistently sentenced to jail time and probation for minor offenses such as driving without a license, whereas non-immigrant drivers may be ordered to pay a fine or attend traffic school. Immigrant criminal defendants assigned to the public defender are often not advised of the immigration consequences of a criminal conviction pursuant to *Padilla*. Recommendations by defense counsel to plead guilty have jeopardized the ability of some long-standing community members to qualify for cancellation of removal or other immigration relief. Finally, some court-appointed attorneys have apparently charged indigent Latino clients for court appearances, despite the fact that these defendants are charged attorney fees by the probation office for the exact same representation and court appearances.

“There is little justice here for immigrants who walk through these doors.”



A large painting of General Robert E. Lee hangs above the main doorway just inside the Bedford County criminal court, and is the only portrait in the courtroom.

Immigrants with limited English proficiency face additional barriers to their meaningful participation in the court system, even when they are criminal defendants and the stakes are exceptionally high. The Department of Justice has made clear that courts receiving federal assistance must provide meaningful access to people with limited English proficiency and should provide quality language interpreters at no cost to litigants and witnesses in order to comply with Title VI of the Civil Rights Act. Although roughly 20% of the population of Shelbyville is Latino, the Bedford County Circuit and Sessions Courts systematically fail to provide interpreter services, making it difficult for many immigrants to enjoy equal access to the justice system. No interpreter services are offered at the clerk’s office. A Spanish language interpreter is regularly present only in criminal court, and she is reportedly not certified or registered as a court interpreter by the State of Tennessee. On several occasions where criminal defendants were indigenous Guatemalans with little or no Spanish proficiency, the Spanish-language interpreter has failed to identify these language barriers and pressured them to allow the process to move forward. Many criminal defendants report that this court interpreter has failed to provide accurate interpretation, inserted her own opinions or legal advice, told undocumented immigrants

they have to plead guilty because they have no rights and will definitely be deported," and served as a matchmaker for private defense attorneys who would be paid far less for the same representation were they court-appointed instead of hired by the defendant. One former defendant states that the interpreter told him to plead guilty in order for [the] case to go faster." Another former defendant states that the interpreter told her she had to plead guilty because her sister had. Bedford County courts fail to provide interpreter services at no cost and assess interpreter fees uniformly against most Latino litigants, effectively levying an additional tax against Latinos who need to access the court system based on their perceived national origin. Latinos are assessed at least \$50 by the court for interpreter services at each court appearance, in at least some cases, even when a person was proficient in English and had not used an interpreter.

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Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Encounters with Immigration and Customs Enforcement (ICE)

In 2011, Immigration and Customs Enforcement (ICE) initiated a sting in cooperation with the Bedford County Probation Office in which Latino probationers were profiled based on their perceived national origin.

As part of ICE's annual Operation Cross-Check, ICE Nashville Fugitive Operations Team Deportation Officer Bradley Epley contacted the head of the Bedford County Probation Office, Rory Griffey. Epley informed Mr. Griffey of his desire to arrest noncitizens with criminal convictions as part of Cross-Check. Over multiple e-mails, the Probation Office prepared and transmitted to Epley a list of probationers who may be subject to deportation. The only trouble was, for the vast majority of persons, the Probation Office knew neither the individual's country of birth nor his immigration status. Rather than investigating further, Epley and the Probation Office simply compiled a list of Hispanic-sounding names, thus profiling the individuals based on perceived national origin and ethnicity. Probation officers then put on a full-court press in the weeks leading up to Cross-Check by calling all individuals on the list and demanding they come to the Probation Office at 9 am on an upcoming Thursday. For many, if not most probationers, Thursday was not their normal report day; several had to miss work—a thing all-to-difficult to come by in this economy — to be present for the inquisition. No mention was made of ICE's presence. The message was clear: show up or go to jail for violating probation.

Once at the Bedford County Probation Office, individuals were asked to pay their probation fees (generally each probationer pays a weekly amount). Then at least 15 Hispanic men were taken to a second room, where an ICE agent was waiting. That agent proceeded to interrogate the men about their citizenship and immigration status. If the right answers weren't forthcoming, another ICE agent—believed to be Nashville-based Eric Lim—handcuffed or shackled the individual and took him to a room where over a dozen Latino men were gathered.

In addition to the racially-targeted arrests that occurred inside the Probation Office, ICE questioned multiple residents of Latino appearance in the parking lot. At least one man was arrested while standing outside the Probation Office talking on his cellular phone, according to eyewitness accounts. Indeed, the zeal of some Fugitive Operations Team agents to arrest everyone in sight reportedly culminated in a visible argument between a white agent and another agent who was a native Spanish speaker.

Following their arrests by ICE, the approximately 18 men were transported in white vans to the ICE office in Nashville, Tennessee, where they were further interrogated and made to sign documents without the opportunity to consult counsel. Multiple accounts

The head of probation “publicly expressed his profound regret that he had ever collaborated with ICE. What he was led to believe would be a targeted operation to remove the worst of the worst proved to be a dragnet aimed at grabbing as many men as possible.”

report ICE agents and supervisors becoming furious at men who refused to make statements and requested a lawyer. One man who was present refused to repeat the profanities agents used for fear that his wife and children could overhear him.

In the aftermath of the probation raid, the head of the Probation Office admitted that the list he compiled at Deportation Officer Epley's request was based not on reasonable suspicion of alienage or unlawful presence, but rather, on the way each person's last name looked and sounded. Mr. Griffey publicly expressed his profound regret that he had ever collaborated with ICE. What he was led to believe would be a targeted operation to remove the worst of the worst proved to be a dragnet aimed at grabbing as many men as possible.

At least one official with ICE's Chattanooga field office candidly admits that its office follows this "dragnet" approach to immigration enforcement in Bedford County. The office follows this approach despite clear guidance from ICE director John Morton on priorities for immigration apprehension, detention, and removal that instruct ICE agents to "exercise particular discretion when dealing with minor traffic offenses such as driving without a license." John Bobo with ICE's Chattanooga office told an advocate that he will fill every seat on the bus when he sends it to a county jail, even if this means detaining people who have committed minor traffic infractions. Bobo states he intends to take every person he can into his custody because he sees no distinction between traffic violations and more serious criminal acts.

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Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

Efforts Undertaken by the Community Thus Far

Community members directly affected by racial profiling are building grassroots power to defend the community from law enforcement abuses and to fight back against racial discrimination. Latinos Unidos de Shelbyville (LUS) formed in January 2011 in direct response to the problems described in this report, and has been at the forefront of the daily struggle to improve life for immigrants in Bedford County by organizing the community. Statewide groups including Tennessee Immigrant and Refugee Rights Coalition (TIRRC), Statewide Organizing for Community Empowerment (SOCM), and Justice for Our Neighbors (JFON) have provided tremendous support to these local organizers.

Together, these groups have convened community meetings sometimes more than a hundred strong, provided know-your-rights trainings on the criminal justice and immigration enforcement systems, collected stories and data documenting discrimination towards immigrants, and inspired community members to engage in strategic, organized resistance against anti-immigrant law enforcement practices. The organizing model of “Neighborhood Defense Committees” was one of the few good things to come out of the aftermath of SB 1070 in Arizona, and in November of 2010, Shelbyville residents were able to meet with Arizona organizers and partake in the lessons learned from Arizona’s struggle against racial profiling. Through a process of popular education and intensive “Defend Your Rights” trainings, TIRRC has helped community members form their own “Neighborhood Defense Committee”, where community members use radio, one-on-one conversations, and door-to-door outreach to move forward a proactive, rapid-response network of activists to fend off attacks on the community. For instance, in response to the raid at the probation office, LUS rapidly organized several teams to go door-to-door to offer know-your-rights to other immigrants on probation and urge them to get involved in community organizing. SOCM has been an invaluable ally to the immigrant community, diligently documenting rights abuses, and opening doors with local and state officials to address egregious violations of civil and human rights. For example, LUS and SOCM persuaded the head of the probation office to attend a community meeting to explain his collaboration with ICE. He was peppered with questions from many individuals directly affected by the raid. By the end of the meeting, the probation officer was deeply apologetic and vowed not to cooperate with future requests from ICE.

In the coming weeks, TIRRC, LUS, RWG and our community partners will complete and deliver a comprehensive pattern-and-practice complaint to the Department of Justice Civil Rights division that will document specific instances of the violations described above.

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Racial Profiling and Immigration Enforcement in Bedford County, Tennessee

NOTES



The Tennessee Immigrant and Refugee Rights Coalition
446 Metroplex Drive, Bldg. A, Ste. 224, Nashville, TN 37211



Homeland
Security

September 29, 2011

Via Electronic Mail

(b)(5)

Rights Working Group

(b)(5)

Tennessee Immigrant and Refugee Rights Coalition

(b)(6)

@rightsworkinggroup.org

Re: Complaint No. 11-12-ICE-0303

Dear Mrs. (b)(5) and Mr. (b)(5)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on September 20, 2011. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter. Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,



Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to www.dhs.gov/crcl. To learn more about the Privacy Act, go to the Federal Information Center, www.pueblo.gsa.gov.



**Homeland
Security**

June 25, 2012

(b)(5)

Rights Working Group

(b)(5)

Washington, DC 20036

(b)(5)

Tennessee Immigrant and Refugee Rights Coalition

(b)(5)

Nashville, TN 37211

Re: Complaint No. 11-12-ICE-0303

Dear Ms. (b)(5) and Mr. (b)(5)

This letter is in response to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from you on September 20, 2011 involving an Immigration and Customs Enforcement (ICE) action in Shelbyville, Tennessee. Your complaint alleges that an ICE enforcement action in Shelbyville from September 17-22, 2011 was retaliatory in nature. Specifically, your complaint alleges that the enforcement action was an effort to target and intimidate community members who had spoken out against alleged police and ICE abuses at a community forum held five days prior to the commencement of the enforcement action.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000cc-1, CRCL has the responsibility to review and assess complaints against DHS employees and officials concerning violations of civil rights and civil liberties. Accordingly, CRCL has conducted an investigation of your allegations. In order to complete this investigation CRCL spoke with the complainants, several residents and attorneys in Shelbyville, and the ICE Fugitive Operations Supervisor in Nashville. CRCL also reviewed ICE documents relevant to the complaint.

Based upon our review, CRCL could not substantiate the claim that the enforcement operation was retaliatory in nature. We have determined that the Shelbyville, Tennessee enforcement operation had been planned a month in advance of the community forum held on September 12, 2011 and was part of a nationwide enforcement operation to be held on specific days. However, as a result of your complaint, CRCL did recommend that, for field offices and local law enforcement partners, ICE should reemphasize existing guidance and provide additional training about the prohibitions on racial or ethnic profiling (including name origin) in immigration enforcement.

Protected by Attorney-Client and Deliberative Process Privileges

This concludes our review of this complaint. If you have any additional information or allegations regarding inappropriate treatment by officials of DHS, do not hesitate to provide the information. We appreciate you bringing these matters to our attention; inquiries like this help the Department of Homeland Security meet its obligation to protect civil rights and civil liberties.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Protected by Attorney-Client and Deliberative Process Privileges

SHORT FORM COMPLAINT CLOSURE RECOMMENDATION

To: Tamara Kessler
From: (b)(6)
Date: June 25, 2012
Complaint: Raid in Shelbyville, TN 11-12-ICE-0303

Recommendation:

(b)(5)

Complaint Synopsis:

On September 20, 2011, CRCL received correspondence submitted via email from (b)(5) of the Rights Working Group (RWG) and (b)(5) of the Tennessee Immigrant and Refugee Rights Coalition (TIRRC). The letter alleged that an Immigration and Customs Enforcement (ICE) action that took place in Shelbyville, Tennessee from September 17-22, 2011, was retaliatory in nature. On September 12, 2011, five days prior to the enforcement action, TIRRC and an organization called Latinos United organized a community forum to highlight the concerns of Latino residents in Shelbyville. A CRCL policy advisor and an attorney from the Department of Justice attended the forum. Latino residents, attorneys, and advocates emphasized that residents felt targeted by both local law enforcement and ICE, whom they alleged were conducting pretextual stops and arrests for the purposes of immigration enforcement. TIRRC and RWG allege that the September 17-22, 2011 enforcement action was retaliatory in nature, i.e. an effort to intimidate community members who spoke out against the alleged police and ICE abuses.

Suggested closure method(s):

(b)(5)

Explanation:

(b)(5),(b)(6),(b)(7)(C)

Recommendation:

(b)(5)

Recommendation Accepted

Not Accepted: _____

TJM

Further Action Required: _____

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-11-1158 11-12-ICE-0303 (b)(5)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-09-28 10:32	Create	Component Referenced	ICE	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Summary	On September 20, 2011, CRCL received email correspondence from the Rights Working Group and the Tennessee Immigrant and Refugee Rights Coalition, alleging that on September 17, 2011 in Shelbyville, Tennessee, ICE Homeland Security Investigations (HSI) con	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Executive Summary	On September 20, 2011, CRCL received email correspondence from the Rights Working Group and the Tennessee Immigrant and Refugee Rights Coalition, alleging that on September 17, 2011 in Shelbyville, Tennessee, ICE Homeland Security Investigations (HSI) con	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Days to Process	8	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Date to CRCL	09/20/2011	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Date to DHS	09/20/2011	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Date on Correspondence	09/20/2011	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Sender Type	NGO/Organization	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Method of Receipt	Email	7936	(b)(6)	User Change
DhsComplaint	2011-09-28 10:32	Create	Entry Date	09/28/2011	7936	(b)(6)	User Change
DhsComplaintAction	2011-11-09 09:11	Create	Action Date	11/09/2011	106433	(b)(6)	User Change
DhsComplaintAction	2011-11-09 09:11	Create	Action	Short Form	106433	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Action	Back from Officer	106160	(b)(6)	User Change
DhsComplaintAction	2011-10-06	Create	Comments	Short Form assign to (b)(6)	106160	(b)(6)	User

DHS-004-0000574

	12:16					(b)(6)	Change
DhsComplaintAction	2011-10-06 12:16	Create	Primary Assignment	(b)(6)	106160	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Action Date	10/06/2011	106160	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Action	Recommendation Review	106159	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Comments	Short Form assign to (b)(6)	106159	(b)(6)	User Change
DhsComplaintAction	2011-10-06 12:16	Create	Action Date	10/06/2011	106159	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:33	Update	Action Date	09/29/2011	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:32	Update	Action Date	09/28/2011	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:32	Update	Action Date	09/29/2011	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:27	Create	Action Date	09/28/2011	106064	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:27	Create	Action	Acknowledgement Letter Sent	106064	(b)(6)	User Change
DhsComplaintAction	2011-09-29 16:27	Create	Document	9.20.2011 11-12-ICE-0303.pdf	106064	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:08	Create	Comments	On September 28, 2011, Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint.	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:08	Create	Action Date	09/28/2011	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:08	Create	Action	Awaiting Recommendation	106051	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:07	Create	Action Date	09/28/2011	106050	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:07	Create	Action	IG Declines/Back from IG	106050	(b)(6)	User Change
DhsComplaintAction	2011-09-28 15:07	Create	Document	11-12-ICE-0303 (OIG Response 9.28.2011).pdf	106050	(b)(6)	User Change
DhsComplaintAction	2011-09-28 10:53	Create	Action Date	09/28/2011	106041	(b)(6)	User Change
DhsComplaintAction	2011-09-28 10:53	Create	Action	Sent to IG	106041	(b)(6)	User Change
				On September 28, 2011, Jeffrey		(b)(6)	

DhsComplaintAction	2011-09-28 10:45	Create	Comments	Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint.	106040	(b)(6)	User Change
DhsComplaintAction	2011-09-28 10:45	Create	Action Date	09/28/2011	106040	(b)(6)	User Change
DhsComplaintAction	2011-09-28 10:45	Create	Action	Open a Complaint	106040	(b)(6)	User Change
DhsComplaintAction	2012-06-26 10:51	Create	Document	SHORT FORM CLOSE MEMO - Complaint 11-12-ICE-0303_Signed 6-25-12.pdf	107813	(b)(6)	User Change
DhsComplaintAction	2012-06-26 10:51	Create	Action	Closed - Short Form/No Further Action	107813	(b)(6)	User Change
DhsComplaintAction	2012-06-26 10:51	Create	Internal Summary	On September 20, 2011, CRCL received correspondence submitted via email from (b)(5) of the Rights Working Group (RWG) and (b)(5) of the Tennessee Immigrant and Refugee Rights Coalition (TIRRC). The letter alleged that an Immigration an	107813	(b)(6)	User Change
DhsComplaintAction	2012-06-26 10:51	Create	Reporting Summary	On September 20, 2011 CRCL recieved a complaint alleging that an ICE enforcement action in Shelbyville, TN from September 17-22, 2011 was retaliatory in nature. Specifically, the alleged that the enforcement action was an effort to target and intimidat	107813	(b)(6)	User Change
DhsComplaintAction	2012-06-26 10:51	Create	Action Date	06/26/2012	107813	(b)(6)	User Change
DhsComplaintDocument	2012-06-26 10:42	Create	Foreign Language	No	87083	(b)(6)	User Change
DhsComplaintDocument	2012-06-26 10:42	Create	Document Type	Closed Letter	87083	(b)(6)	User Change
DhsComplaintDocument	2012-06-26 10:42	Create	Document 1	CRCL 11-12-ICE-0303 SF Close Letter Shelbyville Raid 6-25-12.pdf	87083	(b)(6)	User Change
DhsComplaintDocument	2012-06-26 10:42	Create	Dateentered	06/26/2012	87083	(b)(6)	User Change
DhsComplaintDocument	2012-06-26 10:41	Create	Foreign Language	No	87082	(b)(6)	User Change
DhsComplaintDocument	2012-06-26 10:41	Create	Document Type	Short Form Doc	87082	(b)(6)	User Change
DhsComplaintDocument	2012-06-26 10:41	Create	Document 1	SHORT FORM CLOSE MEMO - Complaint 11-12-ICE-0303_Signed 6-25-12.pdf	87082	(b)(6)	User Change
DhsComplaintDocument	2012-06-26 10:41	Create	Dateentered	06/26/2012	87082	(b)(6)	User Change

DhsComplaintDocument	2012-05-08 10:55	Create	Document Type	Investigative Material	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 3	DRAFT 12-15-11 Phone Call with (b)(6) docx	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Dateentered	05/08/2012	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Foreign Language	No	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 4	DRAFT 12-19-11 Phone Call with (b)(6) docx	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Comments	Notes from phone calls with community members, attorneys, and ICE agent.	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 5	DRAFT 12-20-11 Phone call with (b)(6) docx	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 2	12-9-11 Phone Call with (b)(6) draft.docx	86641	(b)(6)	User Change
DhsComplaintDocument	2012-05-08 10:55	Create	Document 1	10-13-11 TIRRC CALL Draft Notes.docx	86641	(b)(6)	User Change
DhsComplaintDocument	2011-09-28 10:40	Create	Document 1	9 20 2011 Raid in Shelbyville TN.pdf	85151	(b)(6)	User Change
DhsComplaintDocument	2011-09-28 10:40	Create	Dateentered	09/28/2011	85151	(b)(6)	User Change
DhsComplaintDocument	2011-09-28 10:40	Create	Document Type	Incoming Letter	85151	(b)(6)	User Change
DhsComplaintDocument	2011-09-28 10:40	Create	Foreign Language	No	85151	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	(b)(5)	(b)(5)	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	Situation	DHS law enforcement activity	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	Incident Date	09/17/2011	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	Incident Location Type	Residence	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	State	Tennessee - TN	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	City	Shelbyville	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28 11:08	Create	Ongoing	No	13172	(b)(6)	User Change
DhsComplaintIssue	2011-09-28	Create	Redirect to	No	13172	(b)(6)	User

	11:08		Subject			(b)(6)	Change
DhsComplaintIssue	2011-09-28 11:08	Create	Primary Issue	Yes	13172		User Change
DhsComplaintPartiesInvolved	2011-09-28 11:02	Create	Last Name	Raid in Shelbyville TN	22303		User Change
DhsComplaintPartiesInvolved	2011-09-28 11:02	Create	Contact Type	On Behalf Of	22303		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Last Name	(b)(5)	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Organization	Other	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Prefix	Mr	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	First Name	(b)(5)	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Contact Type	Sender	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:58	Create	Other Organization	Tennessee Immigrant and Refugee Rights Coalition	22302		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Last Name	(b)(5)	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Organization	Other	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Email	(b)(6)@rightsworkinggroup.org	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Prefix	Mrs	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	First Name	(b)(5)	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Contact Type	Sender	22301		User Change
DhsComplaintPartiesInvolved	2011-09-28 10:56	Create	Other Organization	Rights Working Group	22301		User Change

From: (b)(6)
To:
Cc:
Subject: RE: CRCL Complaint Number 11-12-ICE-0315
Date: Wednesday, October 19, 2011 7:32:55 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

(b)(5)

If you have any questions concerning this matter, you may contact (b)(6) Deputy Assistant Inspector General for Investigations-Field Operations at 202-(b)(6)

Note: DHS OIG Case # I1101327

From: (b)(6)@dhs.gov]
Sent: Friday, October 07, 2011 11:16 AM
To: (b)(6)
Cc:
Subject: CRCL Complaint Number 11-12-ICE-0315

(b)(6)

Summary of new complaint for your review:

On September 21, 2011, CRCL received email correspondence from Atty. (b)(6) on behalf of (b)(6) alleging that on the morning of August 17, 2011, ICE agents trespassed on his rental property in Wichita, Kansas, without a warrant in order to search for an individual, then when Mr. (b)(6) refused to leave his own property and began to call the police, the two ICE agents then assaulted Mr. (b)(6) and detained him.

The agents are identified as Agent (b)(6),(b)(7)(C) and Agent (b)(6),(b)(7)(C)

Thank you.

(b)(6)

Program Analyst
Compliance Branch

Office for Civil Rights & Civil Liberties
Department of Homeland Security

(b)(6)

From: (b)(6)@immiglaw.net]
Sent: Wednesday, September 21, 2011 1:14 PM
To: CRCL
Cc: (b)(6)@dhs.gov
Subject: CRCL Complaint for (b)(6)
Attachments: (b)(6) CRCLComplaint.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Forwarded within Compliance Branch

Attached hereto is (b)(6) formal CRCL complaint with respect to the conduct of ICE agents who trespassed on his rental property at (b)(6) Wichita, KS 67207, the morning of August 17, 2011. It is our understanding that a DHS internal investigation is being conducted by Mr. (b)(6),(b)(7)(C) Assistant Field Office Director, Chicago District Office, but to date we have not received a resolution of the complaint. Counsel is providing with this complaint, photographs of (b)(6) injuries, audio of his 911 call to local police, and video footage of (b)(6) unlawful arrest and detention (see below). The conduct of the ICE agents involved was not only unlawful and unjustified, but also a violation of (b)(6) civil rights and liberties solely because he refused to cooperate with the agents in their enforcement encounter. As a private citizen, (b)(6) is under no legal obligation to cooperate in any ICE enforcement activity and may not be victimized for refusing to do so. When the ICE agents failed to obtain his consent or the consent of the occupant at (b)(6) Wichita, KS 67207, to enter or remain on the premises on August 17, 2011, the agents were required to leave and obtain a search warrant. It was a clear violation of law and of their own regulations when the agents entered on and remained on (b)(6) private property after they were asked to leave, physically assaulted Mr. (b)(6) causing him injury, unlawfully arrested him causing him and his wife emotional distress, public embarrassment and humiliation, and finally racially profiled his wife solely because she is a U.S. citizen of Hispanic descent.

Counsel and the complainant have been advised that the ICE agents in question unsuccessfully attempted to file a false criminal complaint with the local U.S. Attorney's office while at the private residence the morning of August 17, 2011, claiming that (b)(6) attempted to assault them. Not only does the evidence not support the Agents' false claim, it is now clear that this incident must be elevated not only to resolve the CRCL claim, but to address criminal conduct by federal law enforcement agents empowered to enforce our immigration laws.

Thank you for timely attention,

(b)(6)
Immigration Law Office, Inc.
200 W. Douglas, Suite 600
P.O. Box 49462
Wichita, KS 67202
Tel: 316 (b)(6)
Fax: 316 (b)(6)
E-mail: (b)(6)@immiglaw.net

911 Call.wav

VIDEO.3GP

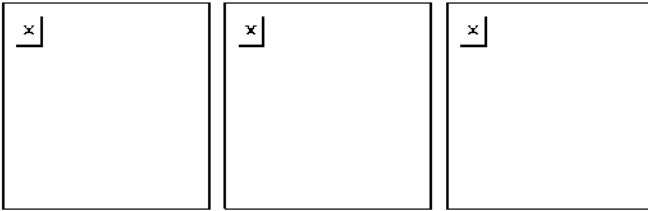
Page1.pdf

Page2.pdf

Page3.pdf

Page4.pdf

Download all



Jacob shared 9 online files with you and they're saved on SkyDrive. These files will be available until 12/19/2011. To view these files, just click the links above.

This communication, including attachments, is for the exclusive use of addressee and may contain proprietary, confidential and/or privileged information. If you are not the intended recipient, any use, copying, disclosure, dissemination or distribution is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this communication and destroy all copies.

Complaint Information

If you don't speak/write English CRCL has access to interpreters and can talk to you in any language.

① Information about the person who experienced the civil rights/civil liberties violation

(fill in what you can)

Name: (b)(6)
First and Middle Last
Phone #: Cell: (316) (b)(6) Home: (316) (b)(6) Work: _____
Please note that we may contact you at the provided numbers.
Mailing Address: (b)(6) Wichita, KS 67207
P.O. Box or Street address City State Zip
Date of Birth: (b)(6) Email (optional): (b)(6) @live.com
Alien Registration #: (if you have one and it's available): N/A

☐ Check here if you are in detention now.

Which facility? _____
Facility name Facility address

☒ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information Sandrine Lisk, Esq.; Tel: (316) (b)(6) @immiglaw.net
Immigration Law Office, Inc.
P.O. Box 49482, Wichita, KS 67201

② Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.

Name: _____
First Last Job title
Organization (if any): _____
Phone #: Cell: _____ Home: _____ Work: _____
Mailing Address: _____
P.O. Box or Street address City State Zip

③ What happened? Describe your complaint. Give as much detail about your experience as possible.

On the morning of August 17, 2011, ICE agents went to my rental property, a private residence at (b)(6) in Wichita, KS, to search for an individual. The ICE agents did not have a judicial warrant, and my brother in law who occupies the home refused to speak to them and called me to the residence. Upon my arrival at the residence, I was confronted in the private driveway by two ICE agents who have now been identified by their supervisors as Agent (b)(6),(b)(7) and Agent (b)(6),(b)(7). The ICE agents identified me immediately as (b)(6) when I exited my car, and asked me to state my business at the residence. I told them that I own the home, and I inquired if they had a warrant to enter the premises. Agent (b)(6) then demanded that I leave if I was not going to cooperate with them. I responded that if anyone had a right to be on the property it was me, and again requested that they leave if they could not show me a warrant or lawful authority to be on my property. Mr. (b)(6) insisted that I leave, and I again informed him that I was the property owner and if they did not leave I would call the police which I proceeded to do. I dialed 911 for police assistance, and while speaking to the 911 operator, both Agent (b)(6), and Agent (b)(6),(b)(7) jumped me from behind knocking me and my cell phone to the ground. Agent (b)(6),(b)(7) and Agent (b)(6),(b)(7) then physically tackled me, hand cuffed me and dragged me from the concrete driveway to the front lawn of the residence where I was detained in plain view of the neighbors and the public. As a result of their actions, I sustained injuries to my back, my shoulder, my chest, my rib cage and my knees. This incident has also caused emotional distress to me and my wife who later arrived at the residence and found me lying on the grass in hand cuffs, as well as public embarrassment and humiliation because I am a born citizen of the United States and a Pastor of my church.

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

About 7:00 am on August 17, 2011

Where did this happen?

Place (for example, name the detention facility, airport, other): (b)(6)

City: Wichita

State or Country: KS 67207

④ Who treated you unfairly?

An employee, contractor, or officer of (check as many as apply)

- | | |
|---|---|
| ☐ Citizenship and Immigration Services (USCIS) | ☐ Not sure which DHS office |
| ☐ Customs and Border Protection (CBP)* | ☐ Non-DHS employee working under the authority of DHS (e.g., 287g officer) |
| ☐ Customs Officer | specify: _____ |
| ☐ Border Patrol Agent | |
| ☐ Federal Emergency Management Agency (FEMA) | |
| ☒ Immigration and Customs Enforcement (ICE) | |
| ☐ Secret Service (USSS) | |
| ☐ Transportation Security Administration (TSA)* | |
| ☐ U.S. Coast Guard (USCG) | |
| ☐ Other DHS program (specify) _____ | |

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): (b)(6) Spouse: (b)(6) Attorney, neighbor (b)(6)

Mailing Address: neighbor & State Rep. Joseph Scape, Wichita Police Department, 911 Dispatch
PO Box or Street address City State or Country Zip

Phone No.: _____ Email: _____

Names (or other information, e.g., agency): _____

Mailing Address: _____
PO Box or Street address City State or Country Zip

Phone No.: _____ Email: _____

Continue on an additional page, if needed.

⑥ Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?

☒ Yes: Agency/Office/Court Laura Zamora, DHS Assistant Field Office Director, Enforcement & Removal Operations Date: 08/23/2011
☐ No

If so, has anyone responded to your complaint?

☐ Yes ☒ No

If Yes, describe what has been done to respond to your complaint:

DHS Internal Revenue in progress by (b)(6), (b)(7) DHS Assistant Field Office Director, Enforcement & Removal Operations, Chicago, IL. Please provide any responses, findings, and the FINAL DETERMINATION OF THIS COMPLAINT TO MY ATTORNEY, (b)(6) Tel: (316) (b)(6) e-mail: (b)(6) @immiglaw.net Immigration Law Office, P.O. Box 49462, Wichita, KS 67201-9462.

Continue on an additional page, if needed.

⑦ Is there any other information you want us to know about or consider?

I am filing this complaint because as a law abiding citizen of the United States, I have to believe that my own government will protect my rights and liberties. The conduct of the ICE agents in this case was shocking and outrageous. ICE agents had neither the consent of the occupant nor a judicial warrant to enter or search the premises of (b)(6) the morning of August 17, 2011, thus they were required to leave at my request and the request of my attorney, Ms. (b)(7) who spoke to Mr. (b)(6) by telephone. The agents had no authority to violate my personal property rights, and they certainly had no authority to physically assault, arrest and detain me just because I refused to cooperate with them in their investigation. They unlawfully remained on my property after they had been asked to leave, they physically assaulted me causing injury, unlawfully arrested me, and intentionally inflicted emotional distress both to me and my wife, they racially profiled my wife who is also a citizen of the United States of Hispanic descent, and caused me both public humiliation and embarrassment.

Continue on an additional page, if needed

- ⑧ If you are not proficient in English, please indicate the language in which you prefer we communicate with you.
-

- ⑨ If you have problems understanding this form or any other question, contact CRCL:

E-mail: crcl@dhs.gov

Phone Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 5 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

From: (b)(6),(b)(7)(C)
To: (b)(6) RCL; JOINT INTAKE
Cc:
Subject: RE: CRCL Complaint for (b)(6)
Date: Thursday, September 22, 2011 12:14:39 PM

Good Morning Attorney (b)(6)

I am in possession of the documents that I gathered which I will provide to the Officer assigned to investigate this incident. Should you have any additional questions or concerns I can be reached at 312-(b)(6),(b)(7)(C)

Thanks

(b)(6),(b)(7)(C)

Assistant Field Office Director
Chicago Field Office
312-(b)(6),(b)(7)(C) Direct Line
312-(b)(6),(b)(7)(C) Cell Phone

Warning: This e-mail, including any attachments, is intended only for authorized recipients only. Recipients may only forward this information as authorized. It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). This e-mail may contain information that is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information. Accordingly, the use, dissemination, distribution or reproduction of this information to or by unauthorized or unintended recipients may be unlawful. This e-mail may also contain Law Enforcement Sensitive (LES) information. No portion of the LES information should be released to the media, the general public, or personnel who do not have a valid "need-to-know" over non-secure Internet servers without prior approval of an authorized DHS official. **No portion of this email should be furnished to the media, either in written or verbal form.**

From: (b)(6)@immiglaw.net]
Sent: Thursday, September 22, 2011 10:58 AM
To: (b)(6),(b)(7)(C) RCL; JOINT INTAKE
Cc:
Subject: RE: CRCL Complaint for Jacob Molina

Good Morning (b)(6),(b)(7)(C)

Can we presume that any findings you have made or evidence you obtained relating to this incident will be/has been forwarded to OPR/JIC??

(b)(6)
Immigration Law Office, Inc.
200 W. Douglas, Suite 600
Wichita, KS 67202
Tel: 316-(b)(6)
Fax: 316-(b)(6)
E-mail: (b)(6)@immiglaw.net

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delete this communication and destroy all copies.

-----Original Message-----

From: (b)(6),(b)(7)(C)@dhs.gov]

Sent: Wednesday, September 21, 2011 4:02 PM

To: (b)(6) RCL; JOINT INTAKE

Cc:

Subject: FW: CRCL Complaint for (b)(6)

Importance: High

All,

This is to advise that I am recusing myself and referring this incident to the Office of Professional Responsibility (OPR), Joint Intake Center (JIC). Any questions regarding this email should be directed to my attention.

Thanks

(b)(6),(b)(7)(C)

Assistant Field Office Director

Chicago Field Office

312-(b)(6),(b)(7) Direct Line

312-(C) Cell Phone

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Duplicate



Homeland
Security

October 7, 2011

Via Electronic Mail

(b)(6)
(b)(6)@immiglaw.net

Re: Complaint No. 11-12-ICE-0315 on behalf of Mr. (b)(6)

Dear Atty. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on September 21, 2011. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter. Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to www.dhs.gov/crcl. To learn more about the Privacy Act, go to the Federal Information Center, www.pueblo.gsa.gov.



**Homeland
Security**

March 19, 2013

Ms. (b)(6)
Depew Gillen Rathbun & McInteer, LC
8301 East 21st Street North Suite 450
Wichita, KS 67206-2936

Email: (b)(6)@depewgillen.com

Re: Complaint No. 11-12-ICE-0315, (b)(6)

Dear Ms. (b)(6)

The Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received your client's complaint dated September 21, 2011, alleging that Immigration and Customs Enforcement (ICE) officers violated (b)(6) civil rights and civil liberties during an attempted enforcement operation at (b)(6) home. We regret the time it took to fully review these matters and sincerely apologize for our delayed response.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against DHS employees and officials concerning violations of civil rights and civil liberties. Following the submission of the complaint, the Office of the Inspector General (OIG) opened the complaint for investigation. The OIG concluded its investigation on October 22, 2012. Following this, CRCL reviewed the OIG investigation, interviewed (b)(6) and his attorney at the time, (b)(6) and reviewed the information that was provided by you and (b)(6).

Based upon our review, CRCL is closing this complaint and will take no further action on this matter. However, CRCL is currently investigating other complaints related to enforcement operations at homes and will continue to monitor such allegations and pursue policy recommendations if warranted.

Protected by Attorney-Client and Deliberative Process Privileges

We thank you for (b)(6) complaint and understand the significance of this issue. Inquiries like his help DHS meet its obligation to protect civil rights and civil liberties. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

(b)(6)

Acting Deputy Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Protected by Attorney-Client and Deliberative Process Privileges



To: (b)(6)
From: (b)(6)
Date: March 19, 2013
Complaint Number: 11-12-ICE-0315
Complainant Name(A#): (b)(6)

Finding(s) for Closure without Recommendations - (check all that apply):

(b)(5)

Reason for Closing:

On September 21, 2011, CRCL received email correspondence from (b)(6) who represented the complainant, (b)(6) at the time, alleging that ICE had violated Mr. (b)(6) civil rights and civil liberties when conducting an enforcement operation at one of his rental properties. (b)(6) is a U.S. Citizen and utilized the services of another attorney, (b)(6) during the investigation of this complaint.

On October 19, 2011, the OIG opened its own investigation into the allegations and concluded its investigation on October 22, 2012. The OIG provided CRCL with its Report of Investigation (ROI) on August 12, 2013. (b)(5) (b)(6)
(b)(5) CRCL reviewed the OIG investigation, interviewed (b)(6) and his then attorney, (b)(6) and reviewed the exhibits provided by (b)(6)

CRCL has received several other complaints related to ERO enforcement operations conducted at homes (b)(5) (b)(5)
(b)(5)

Special Circumstances

Recommend Office of General Counsel (OGC) Review (Y/N)

If Yes- provide a brief explanation

Suggested Closure Method(s) (*check all that apply*):

(b)(5)

Supporting Documents Attached:

For Completion by Reviewer:

Closure Recommendation Accepted X

Not Accepted ☐

(b)(6)

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-11-1167 11-12-ICE-0315 (b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-10-06 09:02	Create	Entry Date	10/06/2011	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Method of Receipt	Email	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Sender Type	NGO/Organization	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Date on Correspondence	09/21/2011	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Date to DHS	09/21/2011	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Date to CRCL	09/21/2011	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Days to Process	15	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Executive Summary	On September 21, 2011, CRCL received email correspondence from Atty. (b)(6) on behalf of Mr. (b)(6) alleging that on the morning of August 17, 2011, ICE agents trespassed on his rental property in Wichita, Kansas, without a warrant in order	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Summary	On September 21, 2011, CRCL received email correspondence from Atty. (b)(6) on behalf of Mr. (b)(6) alleging that on the morning of August 17, 2011, ICE agents trespassed on his rental property in Wichita, Kansas, without a warrant in order	7949	(b)(6)	User Change
DhsComplaint	2011-10-06 09:02	Create	Component Referenced	ICE	7949	(b)(6)	User Change
DhsComplaintAction	2011-10-07 11:15	Create	Action Date	10/06/2011	106173	(b)(6)	User Change
				On October 6, 2011, Jeffrey Blumberg, Director,		(b)(6)	

DHS-004-0000598

DhsComplaintAction	2011-10-07 11:15	Create	Comments	Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint.	106173	(b)(6)	User Change
DhsComplaintAction	2011-10-07 11:15	Create	Action	Open a Complaint	106173	(b)(6)	User Change
DhsComplaintAction	2011-10-07 11:16	Update	Comments	On October 6, 2011, Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a short form Complaint.	106173	(b)(6)	User Change
				(b)(5)		(b)(6)	
DhsComplaintAction	2011-10-07 11:20	Create	Document	9.21.2011 11-12-ICE-0315 (email).pdf	106174	(b)(6)	User Change
DhsComplaintAction	2011-10-07 11:20	Create	Action Date	10/07/2011	106174	(b)(6)	User Change
DhsComplaintAction	2011-10-07 11:20	Create	Action	Acknowledgement Letter Sent	106174	(b)(6)	User Change
DhsComplaintAction	2011-10-07 11:22	Create	Action Date	10/07/2011	106175	(b)(6)	User Change
DhsComplaintAction	2011-10-07 11:22	Create	Action	Sent to IG	106175	(b)(6)	User Change
DhsComplaintAction	2011-10-25 09:56	Create	Action	IG Keeps	106258	(b)(6)	User Change
DhsComplaintAction	2011-10-25 09:56	Create	Document	11-12-ICE-0315 (OIG Response 10.19.2011)_IG Keep.pdf	106258	(b)(6)	User Change
DhsComplaintAction	2011-10-25 09:56	Create	Action Date	10/19/2011	106258	(b)(6)	User Change
DhsComplaintAction	2012-04-27 09:59	Update	Primary Assignment	(b)(6)	106898	(b)(6)	User Change
DhsComplaintAction	2012-05-01 12:15	Update	Action Date	10/18/2011	106898	(b)(6)	User Change
DhsComplaintAction	2012-07-24 10:03	Update	Primary Assignment	(b)(6)	106898	(b)(6)	User Change
DhsComplaintAction	2013-08-12 11:39	Create	Action	IG Return To CRCL For Review	111145	(b)(6)	User Change
DhsComplaintAction	2013-08-12 11:39	Create	Action Date	08/12/2013	111145	(b)(6)	User Change
DhsComplaintAction	2014-03-19	Create	Action	IG Retained in CRCL	112796	(b)(6)	User Change

	2014-03-19 17:31	Create	Action Date	10/22/2012	112796	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:31	Create	Action Date	10/22/2012	112796	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:32	Delete			112796	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:33	Create	Action	Notes	112798	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:33	Create	Action Date	08/19/2013	112798	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:33	Create	Comments	CRCL received the OIG report and began to conclude its investigation.	112798	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:43	Create	Action	IG Short Form	112799	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:43	Create	Action Date	03/19/2014	112799	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:48	Create	Reporting Summary	On September 21, 2011, CRCL received an emailed complaint alleging that ICE had violated the complainant's civil rights and civil liberties during an enforcement operation at one of his rental properties. The DHS OIG opened its own investigaiton into thi	112800	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:48	Create	Action	Closed - IG Short Form/No Further Action	112800	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:48	Create	Action Date	03/19/2014	112800	(b)(6)	User Change
DhsComplaintAction	2014-03-19 17:48	Create	Internal Summary	On September 21, 2011, CRCL received email correspondence from (b)(6) who represented the complainant, (b)(6) at the time, alleging that ICE had violated (b)(6) civil rights and civil liberties when conducting an enforcement operation	112800	(b)(6)	User Change
DhsComplaintDocument	2011-10-06 09:16	Update	Document 2	9-22-2011 (b)(6) complainant emails with ICE.pdf	85242	(b)(6)	User Change
DhsComplaintDocument	2014-03-19 17:26	Create	Comments	OIG report	93816	(b)(6)	User Change
DhsComplaintDocument	2014-03-19 17:26	Create	Document Type	Investigative Material	93816	(b)(6)	User Change
	2014-			OIG ROI I11-ICE-DAL-		(b)(6)	User

DhsComplaintDocument	03-19 17:26	Create	Document 1	01327.pdf	93816	(b)(6)	Change
DhsComplaintDocument	2014- 03-19 17:26	Create	Foreign Language	No	93816		User Change
DhsComplaintDocument	2014- 03-19 17:26	Create	Dateentered	03/19/2014	93816		User Change
DhsComplaintDocument	2014- 03-19 17:27	Create	Document Type	Closed Letter	93817		User Change
DhsComplaintDocument	2014- 03-19 17:27	Create	Document 1	Close Letter - Complaint No 11-12-ICE-0315.pdf	93817		User Change
DhsComplaintDocument	2014- 03-19 17:27	Create	Foreign Language	No	93817		User Change
DhsComplaintDocument	2014- 03-19 17:27	Create	Dateentered	03/19/2014	93817		User Change
DhsComplaintDocument	2014- 03-19 17:28	Delete			93816		User Change
DhsComplaintDocument	2014- 03-19 17:29	Create	Document Type	Final Report	93818		User Change
DhsComplaintDocument	2014- 03-19 17:29	Create	Document 1	SF Close Memo Complaint No 11-12-ICE- 0315.pdf	93818		User Change
DhsComplaintDocument	2014- 03-19 17:29	Create	Foreign Language	No	93818		User Change
DhsComplaintDocument	2014- 03-19 17:29	Create	Dateentered	03/19/2014	93818		User Change
DhsComplaintDocument	2013- 04-25 13:31	Create	Document Type	Investigative Material	90480		User Change
DhsComplaintDocument	2013- 04-25 13:31	Create	Foreign Language	No	90480		User Change
DhsComplaintDocument	2013- 04-25 13:31	Create	Dateentered	04/25/2013	90480		User Change
DhsComplaintDocument	2013- 04-25 13:31	Create	Document 1	DRAFT Meeting notes with (b)(6) 9-12- 12.docx	90480		User Change
DhsComplaintDocument	2013- 04-25 13:31	Create	Document 2	OIG ROI I11-ICE-DAL- 01327.pdf	90480		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document Type	Investigative Material	90538		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Foreign Language	No	90538		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 3	IMG00329-20110817- 1008.jpg	90538		User Change

DhsComplaintDocument	05-01 13:17	Create	Document 1	911 CALL.wav	90538	(b)(6)	User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Dateentered	05/01/2013	90538		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 4	IMG01168-20110817- 0814.jpg	90538		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 2	IMG00328-20110817- 1008.jpg	90538		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 5	IMG01169-20110817- 1023.jpg	90538		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document Type	Investigative Material	90539		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Foreign Language	No	90539		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 3	IMG01172-20110817- 2356.jpg	90539		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 1	IMG01170-20110817- 1023.jpg	90539		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Dateentered	05/01/2013	90539		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 4	IMG01177-20110823- 1049.jpg	90539		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 2	IMG01171-20110817- 2355.jpg	90539		User Change
DhsComplaintDocument	2013- 05-01 13:17	Create	Document 5	IMG01178-20110823- 1049.jpg	90539		User Change
DhsComplaintDocument	2013- 05-01 13:18	Create	Document Type	Investigative Material	90540		User Change
DhsComplaintDocument	2013- 05-01 13:18	Create	Foreign Language	No	90540		User Change
DhsComplaintDocument	2013- 05-01 13:18	Create	Document 1	IMG01179-20110823- 1049.jpg	90540		User Change
DhsComplaintDocument	2013- 05-01 13:18	Create	Dateentered	05/01/2013	90540		User Change
DhsComplaintDocument	2011- 10-06 09:06	Create	Dateentered	10/06/2011	85242		User Change
DhsComplaintDocument	2011- 10-06 09:06	Create	Document Type	Incoming Letter	85242		User Change
DhsComplaintDocument	2011- 10-06 09:06	Create	Foreign Language	No	85242		User Change
	2011-						

DhsComplaintDocument	10-06 09:06	Create	Document 1	9 21 2011	(b)(6) pdf	85242	(b)(6)	User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	(b)(5)	(b)(5)		13184		User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	Ongoing	No		13184		User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	State	Kansas - KS		13184		User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	City	Wichita		13184		User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	Redirect to Subject	No		13184		User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	Incident Date	08/17/2011		13184		User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	Primary Issue	Yes		13184		User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	Situation	DHS law enforcement activity		13184		User Change
DhsComplaintIssue	2011- 10-06 09:17	Create	Incident Location Type	Residence		13184		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	Address Line 1	200 W. Douglas, Suite 600		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	First Name	(b)(6)		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	Contact Type	Sender		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	State	Kansas - KS		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	Email	(b)(6) @immiglaw.net		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	Organization	Other		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	Last Name	(b)(6)		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	Zip Code	67202		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	City	Wichita		22328		User Change
DhsComplaintPartiesInvolved	2011- 10-06 09:08	Create	Prefix	Atty		22328		User Change
	2011-							

DhsComplaintPartiesInvolved	2011-10-06 09:08	Create	Phone	316-(b)(6)	22328	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:08	Create	Address Line 2	(b)(6)	22328	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:08	Create	Other Organization	Immigration Law Office, Inc.	22328	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	Address Line 1	(b)(6)	22329	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	First Name	(b)(6)	22329	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	Contact Type	On Behalf Of	22329	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	State	Kansas - KS	22329	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	Email	(b)(6)@live.com	22329	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	Last Name	(b)(6)	22329	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	Zip Code	67207	22329	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	City	Wichita	22329	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-10-06 09:11	Create	Prefix	Mr	22329	(b)(6)	User Change



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12/16/2011

SPLC Urges DHS to End Raids Terrorizing Latino Communities in North Alabama

The Southern Poverty Law Center (SPLC) urged the Department of Homeland Security today to end raids by federal immigration agents that have terrorized north Alabama families and that undermine federal efforts to protect the civil rights of the state's Latino community in the wake of the state's harsh new anti-immigrant law.

The letter was sent to Homeland Security Secretary Janet Napolitano after the SPLC learned of raids at apartment complexes and mobile home parks in Fort Payne and Collinsville in recent days. Armed Immigration and Customs Enforcement (ICE) agents entered homes without permission and even interrogated young children about their parents' whereabouts.

The letter asks Napolitano to stop the raids and conduct an investigation into civil rights violations that may have taken place. It also notes that the raids undermined efforts by several federal agencies to protect the Latino community from civil rights violations resulting from the state's anti-immigrant law, HB 56. The letter highlights Napolitano's recent statement that the Department of Homeland Security will not assist the state in enforcing HB 56.

"Alabama's Latino community has already been devastated by HB 56, and many Latinos who have not left the state are living in terror," said SPLC Legal Director Mary Bauer. "These raids profoundly undermine the federal government's substantial efforts to reassure people that they still have civil rights and that the federal government is committed to protecting them. They are terrorizing a community already living in fear and chaos."

The SPLC learned that during the raids agents engaged in disturbing and illegal conduct, including threatening to arrest children who are U.S. citizens if they did not reveal their parents' whereabouts. Though it appears that the agents were looking for specific individuals, they arrested many others who happened to be in the vicinity.

DHS-004-0000605

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The raids came after several federal agencies, including the departments of Education and Labor, took steps to reassure the state's Latino community that the government will be vigilant in protecting their civil rights. The Department of Justice is challenging the law in federal court, as is the SPLC and a coalition of civil rights groups.

"These raids are a stark reminder that the failure of our nation to pass comprehensive immigration reform has devastating repercussions that rip apart communities and push immigrants deeper into the shadows," said Dan Werner, the SPLC's deputy legal director.

Intelligence
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memory of those who
lost their lives during
the Civil Rights
Movement.



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Senior Program Staff
Financial Information

What We Do

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Hate and Extremism
Immigrant Justice
Teaching Tolerance
LGBT Rights

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Publications
Intelligence Files
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DHS-004-0000607

December 16, 2011

The Honorable Janet Napolitano
United States Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Napolitano:

I write to express my profound concern about an enforcement action conducted by the Immigration and Customs Enforcement (“ICE”) last weekend in Alabama. Armed ICE agents went to trailer parks and apartment complexes in Fort Payne and Collinsville, entering homes without permission and terrorizing families. Children—citizens and non-citizens alike—were traumatized. In more than one case, ICE agents interrogated young children about the whereabouts of their parents.

Alabama’s Latino community has been devastated by Alabama’s extraordinarily harsh anti-immigrant law, known as HB56. In the aftermath of that law taking effect, the federal government has devoted significant resources to reassuring the Latino community that it is dedicated to protecting Alabamian’s civil rights. The Department of Justice has sued to block the law and has stated that it believes the law to be unconstitutional. Tom Perez, chief of the Civil Rights Division of the Department of Justice, has repeatedly visited Alabama and met with community leaders to hear their stories and has promised to actively oppose HB56. Similarly, high-level officials from other agencies, including the Departments of Education and Labor, have visited Alabama and have offered reassuring words about their commitment to protect the rights of individuals in this state. You have stated that the Department of Homeland Security will not help Alabama implement this law.

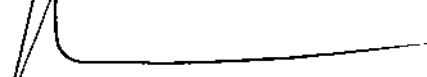
We believe that this series of ICE raids has profoundly undermined the efforts of other federal agencies to reassure the Latino community in Alabama that the federal government seeks to protect the civil rights of all persons. Home raids are a particularly destructive means of conducting enforcement actions; they terrorize communities and are particularly frightening to children, who are forced to watch family members arrested and detained. The family members who have been left behind are afraid to be in their own homes and to live in this community. They have been driven even further underground. The reports we’ve heard from the people who witnessed the raids suggest that agents engaged in disturbing and illegal conduct—including threatening to arrest U.S. citizen children if those children did not disclose the whereabouts of their parents. Although the agents appeared to be looking for a few specific individuals, they went far beyond what was necessary to locate those persons, and arrested many others who simply happened to

be in the vicinity. That ICE took this action just before Christmas in this already decimated community is heart wrenching.

We call upon you to cease these kinds of enforcement actions in this state. We also call upon you to conduct a thorough investigation of the civil rights violations that may have taken place in the course of these raids. We once again ask that you to visit Alabama and to meet with people who live here to hear their stories.

We would appreciate the opportunity to meet with you to discuss these issues.

Sincerely,



Mary Bauer
Legal Director

From: (b)(6)
To:
Cc:
Subject: RE: CRCL Complaint Number 12-03-ICE-0037
Date: Tuesday, December 20, 2011 9:00:03 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

(b)(7)(A)

From: (b)(6)@HQ.DHS.GOV]
Sent: Monday, December 19, 2011 3:16 PM
To: (b)(6)
Cc:
Subject: CRCL Complaint Number 12-03-ICE-0037

(b)(6)

Summary of new complaint for your review:

On December 19, 2011, CRCL internal staff received a news article titled, "SPLC Urges DHS to End Raids Terrorizing Latino Communities in North Alabama", dated December 16, 2011 on the Southern Poverty Law Center (SPLC) website. The website's news article is accompanied by a letter from Legal Director Mary Bauer of SPLC addressed to DHS Secretary Janet Napolitano, dated December 16, 2011, alleging that Immigration and Customs Enforcement (ICE) agents last weekend in Alabama went to trailer parks and apartment complexes in Fort Payne and Collinsville, entering homes without permission, interrogating children about their parents' whereabouts.

SPLC expressed concern that enlght of HB56, ICE's series raids in Alabama has profoundly undermined federal agencies efforts to reassure the Latino community in Alabama that the federal government seeks to protect the civil rights of all persons.

Thank you

(b)(6)

Program Analyst
Compliance Branch
Office for Civil Rights & Civil Liberties
Department of Homeland Security

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-12-0082 12-03-ICE-0037 Mary Bauer

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-12-19 15:12	Create	Entry Date	12/19/2011	8042	(b)(6)	User Change
DhsComplaint	2011-12-19 15:12	Create	Method of Receipt	Internal Staff	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Sender Type	NGO/Organization	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Date on Correspondence	12/16/2011	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Date to DHS	12/19/2011	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Date to CRCL	12/19/2011	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Days to Process	0	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Executive Summary	On December 19, 2011, CRCL internal staff received a news article titled, "SPLC Urges DHS to End Raids Terrorizing Latino Communities in North Alabama", dated December 16, 2011 on the Southern Poverty Law Center (SPLC) website. The website's news article (b)(5)	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Summary	On December 19, 2011, CRCL internal staff received a news article titled, "SPLC Urges DHS to End Raids Terrorizing Latino Communities in North Alabama", dated December 16, 2011 on the Southern Poverty Law Center (SPLC) website. The webs	8042		User Change
DhsComplaint	2011-12-19 15:12	Create	Component Referenced	ICE	8042	(b)(5)	User Change
DhsComplaint	2012-07-11 12:29	Update	Complaint Group Listing	(b)(5)	8042		User Change

DHS-004-0000637

DhsComplaint	2012-07-11 12:29	Update	Days to Process	205	8042	(b)(6)	User Change
DhsComplaint	2012-07-17 12:24	Update	Complaint Group Listing	(b)(5),(b)(7)(A)	8042		User Change
DhsComplaint	2012-07-17 12:24	Update	Days to Process	211	8042		User Change
DhsComplaintAction	2012-07-11 12:19	Create	Action Date	07/11/2012	107976		User Change
DhsComplaintAction	2012-07-11 12:19	Create	Action	Short Form	107976		User Change
DhsComplaintAction	2011-12-20 09:46	Create	Action	(b)(7)(A)	106738		User Change
DhsComplaintAction	2011-12-20 09:46	Create	Document	12-03-ICE-0037 (b)(7)(A) (b)(7)(A) 12.20.2011).pdf	106738		User Change
DhsComplaintAction	2011-12-20 09:46	Create	Action Date	12/20/2011	106738		User Change
DhsComplaintAction	2011-12-20 09:47	Create	Action	Awaiting Recommendation	106739		User Change
DhsComplaintAction	2011-12-20 09:47	Create	Comments	Per Director Jeffrey Blumberg, open this (b)(5),(b)(7)(A)	106739		User Change
DhsComplaintAction	2011-12-20 09:47	Create	Action Date	12/20/2011	106739		User Change
DhsComplaintAction	2011-12-29 10:21	Create	Action Date	12/29/2011	106817		User Change
DhsComplaintAction	2011-12-29 10:21	Create	Action	Recommendation Review	106817		User Change
DhsComplaintAction	2011-12-29 10:22	Create	Action Date	12/29/2011	106818		User Change
DhsComplaintAction	2011-12-29 10:22	Create	Action	Back from Officer	106818		User Change
DhsComplaintAction	2011-12-29 10:22	Create	Primary Assignment	(b)(6)	106818		User Change
DhsComplaintAction	2011-12-29 10:22	Create	Secondary Assignment	(b)(6)	106818		User Change
DhsComplaintAction	2011-12-19 15:17	Create	Comments	Per Director Jeffrey Blumberg, open this (b)(5),(b)(7)(A)	106736		User Change
DhsComplaintAction	2011-12-19 15:17	Create	Action Date	12/19/2011	106736		User Change
	2011-						

DhsComplaintAction	12-19 15:17	Create	Action	Open a Complaint	106736	(b)(6)	User Change
DhsComplaintAction	2011- 12-19 15:17	Update	Document	12 19 2011 Southern Poverty Law Center (SPLC) _internal CRCL email.pdf	106736		User Change
DhsComplaintAction	2011- 12-19 15:20	Create	Action Date	12/19/2011	106737		User Change
DhsComplaintAction	2011- 12-19 15:20	Create	Action	(b)(7)(A)	106737		User Change
DhsComplaintDocument	2011- 12-19 15:21	Create	Document Type	Media Coverage	85741		User Change
DhsComplaintDocument	2011- 12-19 15:21	Create	Document 1	12 19 2011 Southern Poverty Law Center (SPLC).pdf	85741		User Change
DhsComplaintDocument	2011- 12-19 15:21	Create	Dateentered	12/19/2011	85741		User Change
DhsComplaintDocument	2011- 12-19 15:21	Create	Foreign Language	No	85741		User Change
DhsComplaintDocument	2012- 06-13 15:35	Create	Document Type	Investigative Material	86911		User Change
DhsComplaintDocument	2012- 06-13 15:35	Create	Document 1	Birmingham Closing Report # 15.pdf	86911		User Change
DhsComplaintDocument	2012- 06-13 15:35	Create	Dateentered	06/13/2012	86911		User Change
DhsComplaintDocument	2012- 06-13 15:35	Create	Comments	ICE OPR ROI	86911		User Change
DhsComplaintDocument	2012- 06-13 15:35	Create	Foreign Language	No	86911		User Change
DhsComplaintDocument	2012- 06-13 15:40	Create	Document Type	Investigative Material	86912		User Change
DhsComplaintDocument	2012- 06-13 15:40	Create	Document 1	Birmingham Exhibits.pdf	86912		User Change
DhsComplaintDocument	2012- 06-13 15:40	Create	Dateentered	06/13/2012	86912		User Change
DhsComplaintDocument	2012- 06-13 15:40	Create	Comments	ICE OPR Exhibits	86912		User Change
DhsComplaintDocument	2012- 06-13 15:40	Create	Foreign Language	No	86912		User Change
DhsComplaintDocument	2012- 06-13 15:41	Create	Document Type	Investigative Material	86913		User Change
DhsComplaintDocument	2012- 06-13 15:41	Create	Document 1	Word Doc Report Birmingham with Exhibits.pdf	86913		User Change

DhsComplaintDocument	2012-06-13 15:41	Create	Dateentered	06/13/2012	86913	(b)(6)	User Change
DhsComplaintDocument	2012-06-13 15:41	Create	Comments	ICE OPR ROI and Exhibits	86913		User Change
DhsComplaintDocument	2012-06-13 15:41	Create	Foreign Language	No	86913		User Change
DhsComplaintDocument	2011-12-19 15:13	Create	Document Type	Incoming Letter	85740		User Change
DhsComplaintDocument	2011-12-19 15:13	Create	Document 1	12 19 2011 Southern Poverty Law Center (SPLC).pdf	85740		User Change
DhsComplaintDocument	2011-12-19 15:13	Create	Dateentered	12/19/2011	85740		User Change
DhsComplaintDocument	2011-12-19 15:13	Create	Foreign Language	No	85740		User Change
DhsComplaintDocument	2011-12-19 15:13	Create	Document 2	12 19 2011 Southern Poverty Law Center (SPLC)_letter to Napolitano.pdf	85740		User Change
DhsComplaintDocument	2014-01-29 15:44	Create	Document Type	Miscellaneous Material/Other	93134		User Change
DhsComplaintDocument	2014-01-29 15:44	Create	Dateentered	01/29/2014	93134		User Change
DhsComplaintDocument	2014-01-29 15:44	Create	Document 1	Blank doc to be used in order to close items in the system.docx	93134		User Change
DhsComplaintDocument	2014-01-29 15:44	Create	Foreign Language	No	93134		User Change
DhsComplaintDocument	2014-01-29 15:46	Delete			93134		User Change
DhsComplaintDocument	2014-01-29 15:53	Create	Document Type	Miscellaneous Material/Other	93136		User Change
DhsComplaintDocument	2014-01-29 15:53	Create	Dateentered	01/29/2014	93136		User Change
DhsComplaintDocument	2014-01-29 15:53	Create	Document 1	Blank doc to be used in order to close items in the system.docx	93136		User Change
DhsComplaintDocument	2014-01-29 15:53	Create	Foreign Language	No	93136		User Change
DhsComplaintDocument	2014-01-29 15:55	Delete			93136		User Change
DhsComplaintDocument	2014-02-27 12:28	Create	Document Type	Investigative Material	93572		User Change
	2014-			DRAFT Detainee Interviews from La Salle			User

DhsComplaintDocument	02-27 12:28	Create	Document 1	Detention Center - 1-5- 12.docx	93572	(b)(6)	Change
DhsComplaintDocument	2014- 02-27 12:28	Create	Dateentered	02/27/2014	93572		User Change
DhsComplaintDocument	2014- 02-27 12:28	Create	Foreign Language	No	93572		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	State	Alabama - AL	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Redirect to Subject	No	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Incident Date 2	12/11/2011	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Incident Location Type	Residence	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Primary Issue	Yes	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Incident Location	Trailer parks and apartments	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Situation	DHS law enforcement activity	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Ethnicity	Hispanic or Latino	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	City	Collinsville and Fort Payne	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	(b)(5)	(b)(5)	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Ongoing	Yes	13254		User Change
DhsComplaintIssue	2011- 12-19 15:28	Create	Incident Date	12/09/2011	13254		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	First Name	Mary	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	Zip Code	36104	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	Other Organization	Southern Poverty Law Center (SPLC)	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	Last Name	Bauer	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	Phone	334 (b)(6)	22524		User Change

DhsComplaintPartiesInvolved	12-19 17:09	Create	Address Line 2	400 Washington Avenue	22524	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	Organization	Other	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	Contact Type	Sender	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	Address Line 1	Southern Poverty Law Center	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	City	Montgomery	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	State	Alabama - AL	22524		User Change
DhsComplaintPartiesInvolved	2011- 12-19 17:09	Create	Prefix	Atty	22524		User Change
DhsComplaintPartiesInvolved	2014- 01-29 15:42	Create	Comments	(b)(5)	24990	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014- 01-29 15:42	Create	Last Name	(b)(6)	24990		User Change
DhsComplaintPartiesInvolved	2014- 01-29 15:42	Create	Contact Type	On Behalf Of	24990		User Change
DhsComplaintPartiesInvolved	2014- 01-29 15:42	Create	First Name	(b)(6)	24990		User Change



Homeland
Security

July 18, 2012

(b)(6)

Sherman Oaks, CA 91401

Re: Complaint No. [12-04-ICE-0194]

Dear (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on January 27, 2012 regarding Mr. and Mrs. (b)(6) Ms. (b)(6) Ms. (b)(6) and Mr. (b)(6) forward to CRCL by DHS OIG. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security (DHS).

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,



Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.

From: CRCL DHSOIGHotline
To: (b)(6)
Cc:
Subject: RE: CRCL Complaint Number 12-04-ICE-0194
Date: Wednesday, July 18, 2012 3:03:01 PM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)@HQ.DHS.GOV]
Sent: Wednesday, July 18, 2012 2:54 PM
To: CRCL DHSOIGHotline
Cc: (b)(6)
(b)(6)
Subject: CRCL Complaint Number 12-04-ICE-0194

DHS OIG,

Summary of a new complaint for your review:

On January 27, 2012, CRCL received an informal email from DHS OIG (HC 1205267) regarding a telephone conversation with (b)(6) the victims' lawyer. The victims are: (b)(6)

(b)(6) all residing at (b)(6)
Street Los Angeles, CA. 90003.

(b)(6) on behalf of the victims, that on August 24th, 2011 ICE officers entered his client's property. The victims' house is on a property that holds two houses. The lawyer believes the ICE officers had an arrest warrant for someone living in the other house. Upon entering the property the complainant claims the ICE officers shot and killed two of the victims' dogs. The officers then pointed their weapons at the victims and their families, including women and children. The ICE officers handcuffed the victims while they finished executing the search warrant. Eventually the victims were let go. The victims were not able to get any of the ICE officers' personal information.

Thank you.

(b)(6)

Office for Civil Rights and Civil Liberties
Department of Homeland Security
202-357-(b)(6)
(b)(6)@hq.dhs.gov



**Homeland
Security**

March 14, 2014

(b)(6)

Los Angeles, CA 90003

Re: Complaint No. 12-04-ICE-0194

Dear Mr. (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from (b)(6) that was forwarded to our office from the DHS Office of Inspector General on January 24, 2012, regarding your treatment during the execution of a warrant by U.S. Immigration and Customs Enforcement (ICE) agents. The complaint alleges that two dogs were shot and killed during the execution of a criminal warrant aimed at a different address.

In a letter sent to you on July 18, 2012, CRCL informed you that, pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, we would review your complaint and notify you of the outcome of any investigation conducted. CRCL has received and reviewed relevant documents from ICE regarding this unfortunate occurrence. However, based upon the review, CRCL will take no further action. The information received from ICE indicates that during the execution of a criminal narcotics warrant in the house behind your home, ICE officers encountered two dogs who they were forced to kill to protect officer safety after diversionary tactics failed to work. Given the collocation of the two properties, and the concern for office safety during the execution of the warrant, CRCL is closing this matter.

We appreciate your bringing these matters to our attention. Inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

(b)(6)

Acting Director for Compliance
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

March 14, 2014

(b)(6)

Los Angeles, CA 90003

Re: Complaint No. 12-04-ICE-0194

Dear Ms. (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from (b)(6) that was forwarded to our office from the DHS Office of Inspector General on January 24, 2012, regarding your treatment during the execution of a warrant by U.S. Immigration and Customs Enforcement (ICE) agents. The complaint alleges that two dogs were shot and killed during the execution of a criminal warrant aimed at a different address.

In a letter sent to you on July 18, 2012, CRCL informed you that, pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, we would review your complaint and notify you of the outcome of any investigation conducted. CRCL has received and reviewed relevant documents from ICE regarding this unfortunate occurrence. However, based upon the review, CRCL will take no further action. The information received from ICE indicates that during the execution of a criminal narcotics warrant in the house behind your home, ICE officers encountered two dogs who they were forced to kill to protect officer safety after diversionary tactics failed to work. Given the collocation of the two properties, and the concern for office safety during the execution of the warrant, CRCL is closing this matter.

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Sincerely,

(b)(6)

Acting Director for Compliance
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

March 14, 2014

(b)(6)

Los Angeles, CA 90003

Re: Complaint No. 12-04-ICE-0194

Dear Ms. (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from (b)(6) that was forwarded to our office from the DHS Office of Inspector General on January 24, 2012, regarding your treatment during the execution of a warrant by U.S. Immigration and Customs Enforcement (ICE) agents. The complaint alleges that two dogs were shot and killed during the execution of a criminal warrant aimed at a different address.

In a letter sent to you on July 18, 2012, CRCL informed you that, pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, we would review your complaint and notify you of the outcome of any investigation conducted. CRCL has received and reviewed relevant documents from ICE regarding this unfortunate occurrence. However, based upon the review, CRCL will take no further action. The information received from ICE indicates that during the execution of a criminal narcotics warrant in the house behind your home, ICE officers encountered two dogs who they were forced to kill to protect officer safety after diversionary tactics failed to work. Given the collocation of the two properties, and the concern for office safety during the execution of the warrant, CRCL is closing this matter.

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Sincerely,

(b)(6)

Acting Director for Compliance
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

March 14, 2014

(b)(6)

Los Angeles, CA 90003

Re: Complaint No. 12-04-ICE-0194

Dear Mr. (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from (b)(6) that was forwarded to our office from the DHS Office of Inspector General on January 24, 2012, regarding your treatment during the execution of a warrant by U.S. Immigration and Customs Enforcement (ICE) agents. The complaint alleges that two dogs were shot and killed during the execution of a criminal warrant aimed at a different address.

In a letter sent to you on July 18, 2012, CRCL informed you that, pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, we would review your complaint and notify you of the outcome of any investigation conducted. CRCL has received and reviewed relevant documents from ICE regarding this unfortunate occurrence. However, based upon the review, CRCL will take no further action. The information received from ICE indicates that during the execution of a criminal narcotics warrant in the house behind your home, ICE officers encountered two dogs who they were forced to kill to protect officer safety after diversionary tactics failed to work. Given the collocation of the two properties, and the concern for office safety during the execution of the warrant, CRCL is closing this matter.

We appreciate your bringing these matters to our attention. Inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

(b)(6)

Acting Director for Compliance
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

March 14, 2014

(b)(6)

Los Angeles, CA 90003

Re: Complaint No. 12-04-ICE-0194

Dear Mr. (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from (b)(6) that was forwarded to our office from the DHS Office of Inspector General on January 24, 2012, regarding your treatment during the execution of a warrant by U.S. Immigration and Customs Enforcement (ICE) agents. The complaint alleges that two dogs were shot and killed during the execution of a criminal warrant aimed at a different address.

In a letter sent to you on July 18, 2012, CRCL informed you that, pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, we would review your complaint and notify you of the outcome of any investigation conducted. CRCL has received and reviewed relevant documents from ICE regarding this unfortunate occurrence. However, based upon the review, CRCL will take no further action. The information received from ICE indicates that during the execution of a criminal narcotics warrant in the house behind your home, ICE officers encountered two dogs who they were forced to kill to protect officer safety after diversionary tactics failed to work. Given the collocation of the two properties, and the concern for office safety during the execution of the warrant, CRCL is closing this matter.

We appreciate your bringing these matters to our attention. Inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

(b)(6)

Acting Director for Compliance
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

March 14, 2014

(b)(6)

Sherman Oaks, California 91423

Re: Complaint No. 12-04-ICE-0194

Dear Mr. (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from you on behalf of your clients, Mr. and Mrs. (b)(6) Ms. (b)(6) Ms. (b)(6) and Mr. (b)(6). The complaint was in regards to the treatment of your clients during the execution of a warrant by U.S. Immigration and Customs Enforcement (ICE) agents, and also alleged that two dogs were shot and killed during the execution of a criminal warrant aimed at a different address.

In a letter sent to you on July 18, 2012, CRCL informed you that, pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, we would review your complaint and notify you of the outcome of any investigation conducted. CRCL has received and reviewed relevant documents from ICE regarding this unfortunate occurrence. However, based upon the review, CRCL will take no further action. The information received from ICE indicates that during the execution of a criminal narcotics warrant in the house behind your clients' home, ICE officers encountered two dogs who they were forced to kill to protect officer safety after diversionary tactics failed to work. Given the collocation of the two properties, and the concern for office safety during the execution of the warrant, CRCL is closing this matter.

We appreciate your bringing this matter to our attention. Inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

(b)(6)

Acting Director for Compliance
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



To:

(b)(6)

From:

Date:

March 14, 2014

Complaint Number:

12-04-ICE-0194

Complainant Name(A#):

(b)(6)

Finding(s) for Closure without Recommendations - (check all that apply):

(b)(5)

Reason for Closing:

On January 20, 2012, CRCL received a complaint from (b)(6) forwarded to our office from the DHS Inspector General. Mr. (b)(6) represents (b)(6)

(b)(6) who allege that on

August 24, 2011, ICE officers entered their property and home with an arrest warrant.

Mr. (b)(6) alleges that ICE officers shot and killed two of the owners' dogs while executing the arrest warrant. Further, they allege that the property searched by ICE holds two separate houses with different addresses and that the ICE officers had an arrest warrant for someone living in the other house. According to the Mr. (b)(6) his clients live at (b)(6) Los Angeles, California, and his clients believe that the officers had an arrest warrant for an individual at (b)(6)

(b)(5),(b)(6)

(b)(5)

Special Circumstances: N/A

Recommend Office of General Counsel (OGC) Review NO

If Yes- provide a brief explanation

Suggested Closure Method(s) (check all that apply):

(b)(5)

Supporting Documents Attached:

SIR Report # 2011SIR0016462	

For Completion by Reviewer:

Closure Recommendation Accepted x

Not Accepted ☐

(b)(6)

From: (b)(6)@gmail.com>
To: "CRCLCompliance@hg.dhs.gov"
CC: (b)(6) </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6)@hg.dhs.gov8c3>"
Subject: CASE# 12-04-ICE-1094, (b)(6) et al., Signed Authorizations
Date: 2014/03/11 16:25:40
Type: Note

Dear Sir/Madam:

Attached are the signed authorization forms for this case. Please let us know if you require any further documents from us.

(b)(6)
Legal Assistant

--
(b)(6) **Law Group**
4730 Woodman Ave, Suite #405
Sherman Oaks, CA 91423
Tel: (818) (b)(6)
Fax: (818) (b)(6)
Email: (b)(6)@gmail.com

This message and any attached documents may contain information from Beloryan Law Group that is confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute or use this information. If you have received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

Sender: (b)(6)@gmail.com>
Recipient: "CRCLCompliance@hg.dhs.gov";
(b)(6) </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6)@hg.dhs.gov8c3>"
Sent Date: 2014/03/11 16:25:33
Delivered Date: 2014/03/11 16:25:40

DESIGNEE AUTHORIZATION

Date: 3/11/14

(b)(6)

Office ~~of~~ Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Building 410, Mail Stop #0110
Washington D.C. 20528

RE: Our Client(s) :

(b)(6)

Claim # :

12-04-ICE-0194

Date of Loss: :

8/24/11

I, (b)(6), the undersigned, am making a claim
against U.S. Department of Homeland Security. I hereby designate (b)(6)
ESQ., to represent me in this matter and to conclude the claim on my behalf.

(b)(6)

(b)(6)

NT NAME

SIGNATURE

3/11/14

DATE

AUTHORIZATION FOR RELEASE OF RECORDS

Date of Loss: 8/24/11

TO: (b)(6), Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Building 410, Mail Stop # 0190
Washington D.C. 20528

This letter shall serve to authorize you to permit (b)(6) and his agents to review, inspect, copy, and/or photocopy any and all of the following which are in your possession and/or control:

X-Rays; Films; Medical/Hospital Records; Chart Notes; Laboratory Reports; Graphs; Notes; Wage Records; Personnel Records; Psychiatric Records; Psychological Records; Reports of Governmental Entities or Agencies; Traffic Reports; Arrest Reports; Legal Files; and all other documents that are reasonably necessary for the processing of the undersigned's case.

This authorization shall remain valid until the above referenced claim has been resolved and finalized.

Photostatic copies of this authorization shall be considered as valid as the original.

PRINT NAME: (b)(6)
SIGNED: (b)(6)

DATED: 3/11/14

DESIGNEE AUTHORIZATION

Date: 3/11/14

(b)(6)

Office ~~of~~ ^{for} Civil Rights and Civil Liberties

U.S. Department of Homeland Security

Building 410, Mail Stop # 0190

Washington D.C. 20528

RE: Our Client(s) :

(b)(6)

Claim # :

12-04-ICE-0194

Date of Loss: :

8/24/11

I, (b)(6), the undersigned, am making a claim
against U.S. Department of Homeland Security. I hereby designate (b)(6)
ESQ., to represent me in this matter and to conclude the claim on my behalf.

(b)(6)

CLAIMANT NAME

(b)(6)

SIGNATURE

3/11/14

DATE

AUTHORIZATION FOR RELEASE OF RECORDS

Date of Loss: 8/24/11

TO: (b)(6) Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Building 410, Mail Stop # 0190
Washington D.C. 20528

This letter shall serve to authorize you to permit (b)(6) and his agents to review, inspect, copy, and/or photocopy any and all of the following which are in your possession and/or control:

X-Rays; Films; Medical/Hospital Records; Chart Notes; Laboratory Reports; Graphs; Notes; Wage Records; Personnel Records; Psychiatric Records; Psychological Records; Reports of Governmental Entities or Agencies; Traffic Reports; Arrest Reports; Legal Files; and all other documents that are reasonably necessary for the processing of the undersigned's case.

This authorization shall remain valid until the above referenced claim has been resolved and finalized.

Photostatic copies of this authorization shall be considered as valid as the original.

PRINT NAME: (b)(6)

SIGNED: (b)(6) DATED: 3/11/14

DESIGNEE AUTHORIZATION

Date: 3/11/14

(b)(6) office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Building 410, Mail Stop # 0190
Washington D.C. 20528

RE: Our Client(s) : (b)(6)
Claim # : 12-04-ICE-0194
Date of Loss: : 8/24/11

I, (b)(6), the undersigned, am making a claim
against U.S. Department of Homeland Security. I hereby designate (b)(6)
ESQ., to represent me in this matter and to conclude the claim on my behalf.

(b)(6)

CLAIMANT NAME

(b)(6)

SIGNATURE

3/11/14

DATE

AUTHORIZATION FOR RELEASE OF RECORDS

Date of Loss: 8/24/11

TO: (b)(6), Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Building 410, Mail Stop #0190
Washington D.C. 20528

This letter shall serve to authorize you to permit (b)(6) and his agents to review, inspect, copy, and/or photocopy any and all of the following which are in your possession and/or control:

X-Rays; Films; Medical/Hospital Records; Chart Notes; Laboratory Reports; Graphs; Notes; Wage Records; Personnel Records; Psychiatric Records; Psychological Records; Reports of Governmental Entities or Agencies; Traffic Reports; Arrest Reports; Legal Files; and all other documents that are reasonably necessary for the processing of the undersigned's case.

This authorization shall remain valid until the above referenced claim has been resolved and finalized.

Photostatic copies of this authorization shall be considered as valid as the original.

PRINT NAME: (b)(6)

SIGNED: (b)(6) DATED: 3/11/14

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-12-0533 12-04-ICE-0194

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2012-07-18 14:54	Update	Allegation	(CR/CL) Civil Rights/Civil Liberty	8517	(b)(6)	User Change
DhsComplaint	2012-07-18 14:54	Update	Days to Process	173	8517		User Change
DhsComplaint	2012-07-13 13:02	Create	Component Referenced	ICE	8517		User Change
DhsComplaint	2012-07-13 13:02	Create	Summary	On January 27, 2012, CRCL received an informal email from DHS OIG (HC 1205267) regarding a telephone conversation with (b)(6) the victims' lawyer. The victims are: (b)(6)	8517		User Change
DhsComplaint	2012-07-13 13:02	Create	Executive Summary	On January 27, 2012, CRCL received an informal email from DHS OIG (HC 1205267) regarding a telephone conversation with (b)(6) the victims' lawyer. The victims are: (b)(6)	8517		User Change
DhsComplaint	2012-07-13 13:02	Create	Days to Process	168	8517		User Change
DhsComplaint	2012-07-13 13:02	Create	Date to CRCL	01/27/2012	8517		User Change
DhsComplaint	2012-07-13 13:02	Create	Date to DHS	01/20/2012	8517		User Change
DhsComplaint	2012-07-13 13:02	Create	Date on Correspondence	01/20/2012	8517		User Change
DhsComplaint	2012-07-13	Create	Sender Type	Individual	8517		User Change

DHS-004-0000662

	13:02					(b)(6)	
DhsComplaint	2012-07-13 13:02	Create	Method of Receipt	Phone Call	8517		User Change
DhsComplaint	2012-07-13 13:02	Create	Entry Date	07/13/2012	8517		User Change
DhsComplaintAction	2012-07-18 15:42	Create	Action	Awaiting Recommendation	108066		User Change
DhsComplaintAction	2012-07-18 15:42	Create	Action Date	07/18/2012	108066		User Change
DhsComplaintAction	2012-07-18 15:42	Create	Action	IG Declines/Back from IG	108065		User Change
DhsComplaintAction	2012-07-18 15:42	Create	Action Date	07/18/2012	108065		User Change
DhsComplaintAction	2012-07-18 15:42	Create	Document	12-04-ICE-0194 (OIG Response 7.18.2012).pdf	108065		User Change
DhsComplaintAction	2012-07-18 15:28	Create	Action	Acknowledgement Letter Sent	108061		User Change
DhsComplaintAction	2012-07-18 15:28	Create	Action Date	07/18/2012	108061		User Change
DhsComplaintAction	2012-07-18 15:28	Create	Document	1.27.2012 12-04-ICE-0194.pdf	108061		User Change
DhsComplaintAction	2012-07-18 14:52	Create	Action	Sent to IG	108049		User Change
DhsComplaintAction	2012-07-18 14:52	Create	Action Date	07/18/2012	108049		User Change
DhsComplaintAction	2012-07-18 14:52	Create	Action	Open a Complaint	108048		User Change
DhsComplaintAction	2012-07-18 14:52	Create	Action Date	07/18/2012	108048		User Change
DhsComplaintAction	2012-07-18 14:52	Create	Comments	Per Director Jeffery Blumberg, open this matter as a short form complaint, (b)(5),(b)(6)	108048		User Change
DhsComplaintAction	2014-03-14 10:46	Create	Document	12-04-ICE-0194 Close Memo.pdf	112738		User Change
DhsComplaintAction	2014-03-14	Create	Internal	comment will be	112738		User

	10:46		Summary	added		(b)(6)	Change
DhsComplaintAction	2014-03-14 10:46	Create	Action Date	03/14/2014	112738		User Change
DhsComplaintAction	2014-03-14 10:46	Create	Action	Closed - Short Form/No Further Action	112738		User Change
DhsComplaintAction	2014-03-14 10:46	Create	Reporting Summary	comment will be added	112738		User Change
DhsComplaintAction	2012-09-13 13:11	Create	Action	Short Form	108299		User Change
DhsComplaintAction	2012-09-13 13:11	Create	Action Date	09/13/2012	108299		User Change
DhsComplaintAction	2012-07-19 15:10	Create	Primary Assignment	(b)(6)	108073		User Change
DhsComplaintAction	2012-07-19 15:10	Create	Action	Back from Officer	108073		User Change
DhsComplaintAction	2012-07-19 15:10	Create	Action Date	07/19/2012	108073		User Change
DhsComplaintAction	2012-07-19 15:10	Create	Comments	Per Director Jeffery Blumberg, open this matter as a short form complaint. (b)(5),(b)(6)	108073		User Change
DhsComplaintAction	2014-03-14 14:16	Update	Internal Summary	On January 20, 2012, CRCL received a complaint from (b)(6) forwarded by DHS Inspector General. (b)(6) represents (b)(6) (b)(6)	112738		User Change
DhsComplaintAction	2014-03-14	Update	Reporting Summary	allege that on August 24, 201 On January 20, 2012, CRCL received a complaint from (b)(6) forwarded by DHS Inspector General. Mr. (b)(6) represents (b)(6) (b)(6)	112738		User Change

	14:16			(b)(6)		(b)(6)
				allege that on August 24, 201		
DhsComplaintDocument	2012-07-13 13:04	Create	Dateentered	07/13/2012	87293	User Change
DhsComplaintDocument	2012-07-13 13:04	Create	Document Type	Incoming Letter	87293	User Change
DhsComplaintDocument	2012-07-13 13:04	Create	Comments	complaint	87293	User Change
DhsComplaintDocument	2012-07-13 13:04	Create	Foreign Language	No	87293	User Change
DhsComplaintDocument	2012-07-13 13:04	Create	Document 1	1 27 2012 (b)(6) pdf	87293	User Change
DhsComplaintDocument	2014-03-14 10:49	Create	Dateentered	03/14/2014	93749	User Change
DhsComplaintDocument	2014-03-14 10:49	Create	Foreign Language	No	93749	User Change
DhsComplaintDocument	2014-03-14 10:49	Create	Document 1	12-04-ICE-0194 7.pdf	93749	User Change
DhsComplaintDocument	2014-03-14 10:49	Create	Document Type	Closed Letter	93749	User Change
DhsComplaintDocument	2014-03-14 10:48	Create	Document 4	12-04-ICE-0194 4.pdf	93748	User Change
DhsComplaintDocument	2014-03-14 10:48	Create	Dateentered	03/14/2014	93748	User Change
DhsComplaintDocument	2014-03-14 10:48	Create	Foreign Language	No	93748	User Change
DhsComplaintDocument	2014-03-14 10:48	Create	Document 5	12-04-ICE-0194 6.pdf	93748	User Change
DhsComplaintDocument	2014-03-14 10:48	Create	Document 1	12-04-ICE-0194 Close Letter 1.pdf	93748	User Change
DhsComplaintDocument	2014-03-14 10:48	Create	Document 3	12-04-ICE-0194 3.pdf	93748	User Change
DhsComplaintDocument	2014-03-14 10:48	Create	Document 2	12-04-ICE-0194 2.pdf	93748	User Change
DhsComplaintDocument	2014-03-14 10:48	Create	Document Type	Closed Letter	93748	User Change
DhsComplaintDocument	2012-07-19	Delete			87384	User Change

	09:42					(b)(6)	
DhsComplaintDocument	2012-07-19 09:42	Create	Dateentered	07/19/2012	87384		User Change
DhsComplaintDocument	2012-07-19 09:42	Create	Document Type	Incoming Letter	87384		User Change
DhsComplaintDocument	2012-07-19 09:42	Create	Comments	OIG declines	87384		User Change
DhsComplaintDocument	2012-07-19 09:42	Create	Foreign Language	No	87384		User Change
DhsComplaintDocument	2012-07-19 09:42	Create	Document 1	Complaint Number 12-04-ICE-0194 is back from IG.pdf	87384		User Change
DhsComplaintDocument	2014-03-11 17:11	Create	Dateentered	03/11/2014	93707		User Change
DhsComplaintDocument	2014-03-11 17:11	Create	Foreign Language	No	93707		User Change
DhsComplaintDocument	2014-03-11 17:11	Create	Document 1	CASE# 12-04-ICE-1094 (b)(6) et al. Signed Authorizations.msg	93707		User Change
DhsComplaintDocument	2014-03-11 17:11	Create	Document 2	Signed Authorizations form for (b)(6) et al .pdf	93707		User Change
DhsComplaintDocument	2014-03-11 17:11	Create	Document Type	Miscellaneous Material/Other	93707		User Change
DhsComplaintDocument	2014-03-11 17:11	Create	Comments	signed letters authorizing release of information received from attorney.	93707		User Change
DhsComplaintDocument	2012-09-13 13:14	Create	Document Type	Miscellaneous Material/Other	87765		User Change
DhsComplaintDocument	2012-09-13 13:14	Create	Comments	On July 24, 2012, OPR provided a copy of this ICE Homeland Security Investigations, Significant Incident Report.	87765		User Change
DhsComplaintDocument	2012-09-13 13:14	Create	Dateentered	09/13/2012	87765		User Change
DhsComplaintDocument	2012-09-13 13:14	Create	Foreign Language	No	87765		User Change
DhsComplaintDocument	2012-09-13 13:14	Create	Document 1	2662SIR.PDF	87765		User Change
DhsComplaintIssue	2012-07-13 13:06	Create	Redirect to Subject	No	13759		User Change

DhsComplaintIssue	2012-07-13 13:06	Create	State	California - CA	13759	(b)(6)	User Change
DhsComplaintIssue	2012-07-13 13:06	Create	Ongoing	No	13759		User Change
DhsComplaintIssue	2012-07-13 13:06	Create	Incident Location Type	Residence	13759		User Change
DhsComplaintIssue	2012-07-13 13:06	Create	Primary Issue	Yes	13759		User Change
DhsComplaintIssue	2012-07-13 13:06	Create	(b)(5)	(b)(5)	13759		User Change
DhsComplaintIssue	2012-07-13 13:06	Create	Situation	DHS law enforcement activity	13759		User Change
DhsComplaintPartiesInvolved	2012-07-13 13:05	Create	First Name	(b)(6)	23288		User Change
DhsComplaintPartiesInvolved	2012-07-13 13:05	Create	Contact Type	On Behalf Of	23288		User Change
DhsComplaintPartiesInvolved	2012-07-13 13:05	Create	Comments	Attorney on behalf of the complainants	23288	User Change	
DhsComplaintPartiesInvolved	2012-07-13 13:05	Create	Last Name	(b)(6)	23288	User Change	

From: CRCL DHSOIGHotline
To: (b)(6)
Cc:
Subject: RE: CRCL Complaint Number 12-05-ICE-0160
Date: Tuesday, June 26, 2012 1:29:55 PM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6) [REDACTED]@HQ.DHS.GOV]
Sent: Friday, June 22, 2012 12:45 PM
To: CRCL DHSOIGHotline
Cc: (b)(6) [REDACTED]
(b)(6) [REDACTED]
Subject: CRCL Complaint Number 12-05-ICE-0160

DHS OIG,

Summary of a new complaint for your review:

On February 29 2012, CRCL received correspondence from Mrs. (b)(6) [REDACTED]. On September 28, 2011, Mrs. (b)(6) [REDACTED] alleges her Fourth Amendment rights were violated when a police officer from Frederick County Sheriff's department and three unidentified ICE agents entered Mrs. (b)(6) [REDACTED] home in Frederick, Maryland and conducted an unreasonable search. Prior to their entrance, they handcuffed and held Mrs. (b)(6) [REDACTED] outside of her home while the agents searched the basement. The ICE agents claimed they were looking for Mr. (b)(6) [REDACTED] her husband, in regards to the misuse of his identity by (b)(6) [REDACTED]. However, he was not home and after a phone conversation with him, the ICE agents continued their search of the upper half of the premises. Mrs. (b)(6) [REDACTED] had even presented the agents with her and her husband's passports to prove their American citizenship. The ICE agents did not find anything and left the premises after conducting the search. Mrs. (b)(6) [REDACTED] is now represented by (b)(6) [REDACTED] from Casa de Maryland.

Thank you.

(b)(6)

Office for Civil Rights and Civil Liberties

Department of Homeland Security

202-357-(b)(6)

(b)(6)@hq.dhs.gov



**Homeland
Security**

June 22, 2012

(b)(6)
Hyattsville, MD 20783
(b)(6)@casamd.org

Re: Complaint No. 12-05-ICE-0160

Dear Ms. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your client, Mrs. (b)(6) written complaint on February 29, 2012. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security (DHS).

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,



Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.



Department of Homeland Security (DHS)
Office for Civil Rights and Civil Liberties

Civil Rights Complaint

Fillable Version (last modified 3/15/2011)

The purpose of this form is to assist you in filing a civil rights/civil liberties complaint with the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) regarding DHS programs and activities. This form is not intended to be used for complaints about employment with DHS. You are not required to use this form to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested in the form.

CRCL Mission:

The DHS Office for Civil Rights and Civil Liberties (CRCL) supports the Department as it secures the nation while preserving individual liberty, fairness, and equality under the law. We investigate claims of civil rights and civil liberties abuses, to help DHS improve protections and programs.

Do you have a DHS civil rights or civil liberties complaint? If you believe that DHS personnel or a DHS program or activity has violated your rights, we want to hear from you. Fill out this form, or write us an email or letter.

In connection with a DHS program, activity, or policy, have you experienced:

- Discrimination based on your race, ethnicity, national origin (including language proficiency), religion, gender, or disability? (Note: do not use this form to make a complaint about employment discrimination; see www.dhs.gov/eeo.)
- Denial of meaningful access to DHS or DHS-supported programs, activities, or services due to limited English proficiency?
- Violation of your rights while in immigration detention or as a subject of immigration enforcement?
- Discrimination or inappropriate questioning related to entry into the United States?
- Violation of your right to due process, such as your right to timely notice of charges or access to your lawyer?
- Violation of the Violence Against Women Act's confidentiality requirements?
- Physical abuse or any other type of abuse inflicted upon you?
- Any other civil rights or civil liberties violation related to a DHS program or activity?

Notes on Confidentiality and Anonymity:

- A) You may remain anonymous by not filling in your name, below. However, CRCL may not be able to investigate your complaint unless you provide enough information to conduct an investigation.
- B) Disclosure of the information you provide, including your identity, is on a "need-to-know" basis, and is discussed in the Privacy Statement at the end of this document. IF YOU CHECK THE BOX BELOW, WE WILL NOT DISCLOSE YOUR IDENTITY TO OTHER OFFICES, IN OR OUT OF DHS (unless it is necessary for investigation of criminal misconduct). Note, however, that this will in many situations make it very difficult or impossible, practically speaking, for us to investigate the allegations you raise.
☐ I do NOT want CRCL to disclose my name to other offices, and understand this decision will often make it impossible for an investigation to take place.
- C) Reprisal against complainants to CRCL is unlawful; if you feel you have been a victim of reprisal, CALL US. 1-866-644-8360.

Office for Civil Rights & Civil Liberties

FEB 29 2012

Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① Information about the person who experienced the civil rights/civil liberties violation

(fill in what you can)

Name: (b)(6) (b)(6)

Phone #: Cell: 240 (b)(6) Home: Work:

Please note that we may contact you at the provided numbers.

Mailing Address: (b)(6) Frederick, MD 21703

Date of Birth: (b)(6) Street address City State Zip

Alien Registration #. (if you have one and it's available):

☐ Check here if you are in detention now.

Which facility? Facility name Facility address

☒ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information (b)(6) @casamd.org

② Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.

Name: n/a First Last Job title

Organization (if any):

Phone #: Cell: Home: Work:

Mailing Address: PO Box or Street address City State Zip

③ What happened? Describe your complaint. Give as much detail about your experience as possible.

I wish to complain about the conduct of three ICE agents and an officer from the office of the Frederick County Sheriff who used force and intimidation to conduct an illegal search of my home.

On the morning of September 28, 2011, at about 6:45, I was in my home busy readying my children for school when I heard my doorbell ring repeatedly. I looked out the window and saw that a white van was parked in front, on the other side of our cul-de-sac and about a block away there was a police car (Frederick County Sheriff's police). I opened the door to find a police agent who was then immediately joined by three other agents wearing jackets that read: "ICE."

see continuation page

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

September 28, 2011, at about 6:45 am

Where did this happen?

Place (for example, name the detention facility, airport, other): my home: (b)(6) Frederick
City: Frederick State or Country: MD

④ Who treated you unfairly?

An employee, contractor, or officer of (check as many as apply):

- | | |
|--|---|
| ☒ Citizenship and Immigration Services (USCIS) | ☐ Not sure which DHS office |
| ☐ Customs and Border Protection (CBP)* | ☐ Non-DHS employee working under the authority of DHS (e.g., 287g officer) |
| ☐ Customs Officer | specify: _____ |
| ☐ Border Patrol Agent | |
| ☐ Federal Emergency Management Agency (FEMA) | |
| ☐ Immigration and Customs Enforcement (ICE) | |
| ☐ Secret Service (USSS) | |
| ☐ Transportation Security Administration (TSA)* | |
| ☐ U.S. Coast Guard (USCG) | |
| ☐ Other DHS program (specify): | |

Frederick County Police

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): (b)(6) my husband
Mailing Address: (b)(6) Frederick, MD 21703
Phone No.: 240 (b)(6) Email: _____

Names (or other information, e.g., agency): _____
Mailing Address: _____
Phone No.: _____ Email: _____

Continue on an additional page, if needed.

- ⑥ **Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?**

☐ **Yes:** Agency/Office/Court _____ Date: _____
☒ **No**

If so, has anyone responded to your complaint?

☐ **Yes** ☐ **No**

If Yes, describe what has been done to respond to your complaint:

Continue on an additional page, if needed.

- ⑦ **Is there any other information you want us to know about or consider?**

Continue on an additional page, if needed.

- ⑧ If you are not proficient in English, please indicate the language in which you prefer we communicate with you.
-

- ⑨ If you have problems understanding this form or any other question, contact CRCL:

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov.

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

Continue on this page, if needed.

The police officer asked for my husband and I told him he was not home. He demanded to know where my husband was and how many people lived in my house. I told him that my family lives in my home and that my husband was not home. He said he knew I was lying, that my husband was home because his car was outside and that he knew I had "too many people" in my home. One of the ICE agents said they had to see how many people live in my house because it is "illegal to have too many people living here." I told them that, "this is my property" and asked if they had a warrant to enter. They said "no," but still insisted I had to let them in.

The police officer asked if I have "papers." I told him am a citizen of that United States. He insisted I had to show him proof of that. Thinking that if I showed him my passport they would leave, I asked him to wait. I closed the door and went upstairs to get my passport. When I came back and showed it to the officers they insisted again that they needed to come inside.

I did not want the officers to come inside because of my children, (b)(6) who are 11, 10 and 8 respectively. They are very impressionable. In particular, my daughter (b)(6) is very afraid of police. I told the officers I was busy readying my children for school y that I did not want them to feel traumatized.

But the police officer and the ICE agents continued to pressure me to let them in. One of the ICE agents told me I should cooperate because I could be arrested for what I was doing. I responded: "I don't see why you can arrest me, I am in my home and I have done nothing wrong." Then the police officer pulled me outside. He pulled my arms behind my back and handcuffed me. He ushered me over to the side of the house beside the garage door and told me to stay there.

I begged and insisted that he release me so I could take care of my children; saying that I needed to feed breakfast to my son; that he would be late to school; that the children would be frightened. My neighbor came out of her house and the police officer went over to her and asked her to watch over me. I understand she told him she could not because she was busy.

An ICE officer remained with me while the others went around to the back of the house. They pounded on the back door and when my cousin, who was down in the basement opened the door, they pushed their way inside. They went through everything downstairs including the closets and the bathroom. Then they came upstairs bringing my cousin with them and they went through everything on the main floor. Then they brought me inside, still handcuffed. I said I wanted to call my husband. Since there was no phone on the main floor they removed the handcuffs so I could get the phone, upstairs. One of the officers went with me. I came downstairs with the phone and called my husband. An officer asked to speak to him. I heard the officer say to my husband that I had given them permission to come inside, that they were looking for him, that someone else was using his identity and, finally, that they were looking for (b)(6). Then one of the agents told me to get my husband's papers. I went upstairs to get my husband's passport and one of them followed me. After reviewing the passport they still insisted upon searching the rest of the house. So they let themselves upstairs, into all our bedrooms, including the one where my daughter was sleeping and went through all our things.

I was still on the phone with my husband when the officers came back downstairs. One of them asked to speak to him. I heard him say they would leave because they didn't find anything. Then as I took back the phone they made their way out of the house.

I live on a very quiet street, so I know the police vehicles, and my detention in front of me home was a source of bad attention for the neighborhood. My children were humiliated and traumatized. This entire ordeal was extremely damaging and humiliating for all of us.

Continue on this page, if needed.

G-28, Notice of Entry of Appearance as Attorney or Accredited Representative

Department of Homeland Security

Part 1. Notice of Appearance as Attorney or Accredited Representative

A. This appearance is in regard to immigration matters before:

☒ USCIS - List the form number(s): CRCL Complaint
☐ CBP - List the specific matter in which appearance is entered: _____

☐ ICE - List the specific matter in which appearance is entered: _____

Complaint about Civil Rights Violation

B. I hereby enter my appearance as attorney or accredited representative at the request of:

List Petitioner, Applicant, or Respondent. **NOTE:** Provide the mailing address of Petitioner, Applicant, or Respondent being represented, and not the address of the attorney or accredited representative, except when filed under VAWA.

Principal Petitioner, Applicant, or Respondent

Name: Last First Middle

(b)(6)

 A Number or Receipt
Number, if any

☐ Petitioner

☐ Applicant

☐ Respondent

Address: Street Number and Street Name Apt. No. City State Zip Code

(b)(6)

Frederick

MD

21703

Pursuant to the Privacy Act of 1974 and DHS policy, I hereby consent to the disclosure to the named Attorney or Accredited Representative of any record pertaining to me that appears in any system of records of USCIS, USCBP, or USICE.

Signature of Petitioner, Applicant, or Respondent

(b)(6)

Date

1-8-12

Part 2. Information about Attorney or Accredited Representative (Check applicable item(s) below)

A. ☒ I am an attorney and a member in good standing of the bar of the highest court(s) of the following State(s), possession(s), territory(ies), commonwealth(s), or the District of Columbia: DC Court of Appeals

I am not ☒ or ☐ am subject to any order of any court or administrative agency disbaring, suspending, enjoining, restraining, or otherwise restricting me in the practice of law (If you are subject to any order(s), explain fully on reverse side).

B. ☐ I am an accredited representative of the following qualified non-profit religious, charitable, social service, or similar organization established in the United States, so recognized by the Department of Justice, Board of Immigration Appeals pursuant to 8 CFR 1292.2. Provide name of organization and expiration date of accreditation:

C. ☐ I am associated with _____

The attorney or accredited representative of record previously filed Form G-28 in this case, and my appearance as an attorney or accredited representative is at his or her request (If you check this item, also complete item A or B above in Part 2, whichever is appropriate).

Part 3. Name and Signature of Attorney or Accredited Representative

I have read and understand the regulations and conditions contained in 8 CFR 103.2 and 292 governing appearances and representation before the Department of Homeland Security. I declare under penalty of perjury under the laws of the United States that the information I have provided on this form is true and correct.

Name of Attorney or Accredited Representative

(b)(6)

Attorney Bar Number(s), if any

(b)(6)

Signature of Attorney or Accredited Representative

(b)(6)

Date

1-26-2012

 Accredited Representative (Street Number and Street Name, Suite No., City, State, Zip Code)
20783

Phone (include area code)

E-Mail Address, if any

(b)(6)

casamd.org



**Homeland
Security**

March 19, 2014

(b)(6)

CASA de Maryland, Inc.
8151 15th Avenue
Langley Park, MD 20783

(b)(6)

@casamd.org

Re: Complaint No. 12-05-ICE-0160, (b)(6)

Dear Ms. (b)(6)

On February 29, 2012, the Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received your complaint on behalf Ms. (b)(6) alleging that Immigration and Customs Enforcement (ICE) officers violated her civil rights and civil liberties during an enforcement operation at her home.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against DHS employees and officials concerning violations of civil rights and civil liberties. To conduct its investigation, CRCL interviewed Ms. (b)(6) and requested information from ICE pertaining to the enforcement operation in question.

After reviewing the documents, CRCL believes that work conducted by this Office on other cases is relevant to this complaint. CRCL has made policy recommendations to ICE that would address the concerns raised by Ms. (b)(6) in relation to entry without consent. CRCL will continue to work with ICE on these recommendations, and as such, is closing this complaint.

We thank you for this complaint and understand the significance of this issue. Inquiries like this help DHS meet its obligation to protect civil rights and civil liberties.

Protected by Attorney-Client and Deliberative Process Privileges

If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

(b)(6)

A large rectangular box with a black border, used to redact the signature of the Acting Deputy Director.

Acting Deputy Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Protected by Attorney-Client and Deliberative Process Privileges

From: (b)(6)@hq.dhs.gov]
Sent: Tuesday, July 23, 2013 1:06 PM
To: (b)(6),(b)(7)(C) ERO CRCL
Cc:
Subject: RE: Subject: CRCL Complaint No. 12-05-ICE-0160 – Short Form Complaint

Hi (b)(6),(b)(7)(C)

I just want to check on the status of this document request. Are you still talking the case over with OPR?

Thanks!

(b)(6)

Legal Intern

Office for Civil Rights & Civil Liberties

Department of Homeland Security

Phone: (202) 357-(b)(6)

(b)(6)@hq.dhs.gov

From: (b)(6),(b)(7)(C)
Sent: Thursday, July 04, 2013 12:10 PM
To: (b)(6)
Cc: ERO CRCL
Subject: RE: Subject: CRCL Complaint No. 12-05-ICE-0160 – Short Form Complaint

Hi (b)(6)

Once I discuss this complaint with the ICE Office of Professional Responsibility we will get back to you.

Thanks and enjoy the holiday.

(b)(6),(b)(7)(C)

(A)Chief, Information Disclosure
U.S. Immigration and Customs Enforcement
IIQ Office of Enforcement and Removal Operations
500 12th Street SW, Suite 2194
Washington, DC 20536
202-(b)(6),(b)(7)(C) (O)
202-(b)(6),(b)(7)(C) (M)
EROInformationDisclosure@ICE.DHS.GOV

-----Original Message-----

From: (b)(6)@hq.dhs.gov]

Sent: Wednesday, July 03, 2013 03:21 PM Eastern Standard Time

To: (b)(6),(b)(7)(C)

Cc:

Subject: Subject: CRCL Complaint No. 12-05-ICE-0160 – Short Form Complaint

Good Afternoon –

The Office for Civil Rights and Civil Liberties (CRCL) received the attached complaint regarding an alleged impermissible search of Frederick County, Maryland resident (b)(6) (b)(6) house. Ms. (b)(6) alleges that ICE agents and one police officer entered her property on September 28, 2011, handcuffed her, removed her from her house, and performed an illegal search of the home.

CRCL has opened this complaint as a Short Form. As part of our investigation, I may want to speak to the complainant, ICE agents currently, or formerly, working in Frederick County, Maryland, and police officers within the Frederick County Sheriff's Department to discuss the complaint. Would you please send me a POC who can help arrange any interviews?

I also request the following documents or information:

(b)(5),(b)(6)

I would appreciate receiving the documents and information by COB Friday, July 19, 2013. Please advise if any documents or information do not exist or are not available.

Thank you for your assistance with this request and please let me know if you have any questions.

(b)(6)

Legal Intern

Office for Civil Rights & Civil Liberties

Department of Homeland Security

Phone: (202) 357-(b)(6)

(b)(6)@hq.dhs.gov

Sender: ERO CRCL <EROCRCL@ice.dhs.gov>

Recipient: (b)(6) </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6) dhshq.dhs.gov>";
(b)(6) </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=(b)(6) (b)(6),(b)(7)(C) </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[REDACTED]dhs.gov";
[REDACTED] </O=DHS/OU=EXCHANGE ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[REDACTED]dhs.gov>;
"ERO CRCL <EROCRCL@ice.dhs.gov>"

Sent Date: 2013/07/26 08:48:05

Delivered Date: 2013/07/26 08:48:30

Generator: Microsoft Word 14 (filtered medium)



To: (b)(6)
From: (b)(6)
Date: March 19, 2014
Complaint Number: 12-05-ICE-0160
Complainant Name(A#): (b)(6)

Finding(s) for Closure without Recommendations - (check all that apply):

(b)(5)

Reason for Closing:

On February 29, 2012, CRCL received a complaint from (b)(6) an attorney at Casa de Maryland, on behalf of Ms. (b)(6) a U.S. citizen. Ms. (b)(6) alleged that her Fourth Amendment rights were violated when a police officer from the Frederick County Sheriff's Office and three ICE agents attempted an enforcement operation at her home on February 28, 2011. She stated that when the officers did not receive consent to enter, they handcuffed her and held her outside while they entered and searched the house. She said the officers were looking for Mr. (b)(6) her husband, who is also a U.S. citizen. Mr. (b)(6) was not at home and Ms. (b)(6) produced both of their U.S. passports demonstrating citizenship. While inside the home, the officers allowed Ms. (b)(6) to call her husband who informed them that he has been mistaken for his cousin, (b)(6) in the past. He further stated that he has had minimal contact with (b)(6) who he believes left the U.S. in 2010.

(b)(5),(b)(6)

(b)(5),(b)(6)

Special Circumstances

Recommend Office of General Counsel (OGC) Review (Y/N)

If Yes- provide a brief explanation

Suggested Closure Method(s) (check all that apply):

(b)(5)

Supporting Documents Attached:

For Completion by Reviewer:

Closure Recommendation Accepted X

Not Accepted ☐

(b)(6)

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-12-0406 12-05-ICE-0160 (b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2012-06-15 13:08	Update	Executive Summary	On February 29 2012, CRCL received correspondence from Mrs. (b)(6) On September 28, 2011, Mrs. (b)(6) alleges her Fourth Amendment rights were violated when a police officer from Frederick County Sheriff's department and three unidenti	8390	(b)(6)	User Change
DhsComplaint	2012-06-15 13:08	Update	Summary	On February 29 2012, CRCL received correspondence from Mrs. (b)(6) On September 28, 2011, Mrs. (b)(6) alleges her Fourth Amendment rights were violated when a police officer from Frederick County Sheriff's department and three unidenti	8390	(b)(6)	User Change
DhsComplaint	2012-06-15 10:20	Create	Component Referenced	ICE	8390	(b)(6)	User Change
DhsComplaint	2012-06-15 10:20	Create	Summary	On February 29 2012, CRCL received a correspondence from Mrs. (b)(6) On September 28, 2011, Mrs. (b)(6) alleges her Fourth Amendment rights were violated when a police officer from Frederick County Sheriff's department and three unidenti	8390	(b)(6)	User Change
DhsComplaint	2012-06-15 10:20	Create	Executive Summary	On February 29 2012, CRCL received a correspondence from Mrs. (b)(6) On September 28, 2011, Mrs. (b)(6) alleges her Fourth Amendment rights were violated when a police officer from Frederick County Sheriff's department and three unidenti	8390	(b)(6)	User Change
DhsComplaint	2012-06-15	Create	Allegation	(CR/CL) Civil	8390	(b)(6)	User

DHS-004-0000692

	10:20		Rights/Civil Liberty		(b)(6)	Change
DhsComplaint	2012-06-15 10:20	Create	Days to Process	107	8390	User Change
DhsComplaint	2012-06-15 10:20	Create	Date to CRCL	02/29/2012	8390	User Change
DhsComplaint	2012-06-15 10:20	Create	Date to DHS	02/29/2012	8390	User Change
DhsComplaint	2012-06-15 10:20	Create	Date on Correspondence	02/29/2012	8390	User Change
DhsComplaint	2012-06-15 10:20	Create	Number of Complainants	1	8390	User Change
DhsComplaint	2012-06-15 10:20	Create	Sender Type	Individual	8390	User Change
DhsComplaint	2012-06-15 10:20	Create	Method of Receipt	Hand Delivered	8390	User Change
DhsComplaint	2012-06-15 10:20	Create	Entry Date	06/15/2012	8390	User Change
DhsComplaintAction	2012-06-22 12:46	Create	Action	Sent to IG	107784	User Change
DhsComplaintAction	2012-06-22 12:46	Create	Action Date	06/22/2012	107784	User Change
DhsComplaintAction	2012-06-22 12:41	Create	Comments	Per Director Jeffery Blumberg, open this matter as a short form (b)(5) (b)(6)	107782	User Change
DhsComplaintAction	2012-06-22 12:41	Create	Action	Open a Complaint	107782	User Change
DhsComplaintAction	2012-06-22 12:41	Create	Action Date	06/22/2012	107782	User Change
DhsComplaintAction	2012-11-14 11:14	Create	Action	Short Form	108815	User Change
DhsComplaintAction	2012-11-14 11:14	Create	Action Date	11/14/2012	108815	User Change
DhsComplaintAction	2012-07-06 12:19	Create	Primary Assignment	(b)(6)	107930	User Change
DhsComplaintAction	2012-07-06 12:19	Create	Action	Back from Officer	107930	User Change
DhsComplaintAction	2012-07-06 12:19	Create	Action Date	07/06/2012	107930	User Change
DhsComplaintAction	2012-07-06	Create	Comments	short form	107930	User

	12:19					(b)(6)	Change
DhsComplaintAction	2012-07-06 12:19	Create	Action	Recommendation Review	107929		User Change
DhsComplaintAction	2012-07-06 12:19	Create	Action Date	07/06/2012	107929		User Change
DhsComplaintAction	2012-06-27 08:59	Create	Action	Awaiting Recommendation	107819		User Change
DhsComplaintAction	2012-06-27 08:59	Create	Action Date	06/27/2012	107819		User Change
DhsComplaintAction	2012-06-27 08:58	Create	Document	12-05-ICE-0160 (OIG Response 6.26.12).pdf	107818		User Change
DhsComplaintAction	2012-06-27 08:58	Create	Action	IG Declines/Back from IG	107818		User Change
DhsComplaintAction	2012-06-27 08:58	Create	Action Date	06/26/2012	107818		User Change
DhsComplaintAction	2012-06-22 13:41	Create	Document	2.29.2012 12-05-ICE-0160.pdf	107785		User Change
DhsComplaintAction	2012-06-22 13:41	Create	Action	Acknowledgement Letter Sent	107785		User Change
DhsComplaintAction	2012-06-22 13:41	Create	Action Date	06/22/2012	107785		User Change
DhsComplaintAction	2014-03-19 12:17	Create	Internal Summary	On February 29, 2012, CRCL received a complaint from (b)(6) an attorney at Casa de Maryland on behalf of Ms. (b)(6) a U.S. citizen. Ms. (b)(6) alleged that her Fourth Amendment rights were violated when a police officer f	112788		User Change
DhsComplaintAction	2014-03-19 12:17	Create	Action Date	03/19/2014	112788		User Change
DhsComplaintAction	2014-03-19 12:17	Create	Action	Closed - Short Form/No Further Action	112788		User Change
DhsComplaintAction	2014-03-19 12:17	Create	Reporting Summary	On February 29, 2012, CRCL received a complaint from a complainant who alleged her Fourth Amendment rights were violated during an attempted ICE enforcement at her home in February, 2011. CRCL interviewed the complainant and	112788		User Change

				requested and reviewed info		(b)(6)
DhsComplaintDocument	2014-03-19 12:09	Create	Dateentered	03/19/2014	93810	User Change
DhsComplaintDocument	2014-03-19 12:09	Create	Foreign Language	No	93810	User Change
DhsComplaintDocument	2014-03-19 12:09	Create	Document 1	SF Close Memo Complaint No 12-05-ICE-0160.pdf	93810	User Change
DhsComplaintDocument	2014-03-19 12:09	Create	Document Type	Final Report	93810	User Change
DhsComplaintDocument	2014-03-19 12:09	Create	Dateentered	03/19/2014	93809	User Change
DhsComplaintDocument	2014-03-19 12:09	Create	Foreign Language	No	93809	User Change
DhsComplaintDocument	2014-03-19 12:09	Create	Document 1	Close Letter Complaint No 12-05-ICE-0160.pdf	93809	User Change
DhsComplaintDocument	2014-03-19 12:09	Create	Document Type	Closed Letter	93809	User Change
DhsComplaintDocument	2014-03-19 12:08	Create	Dateentered	03/19/2014	93808	User Change
DhsComplaintDocument	2014-03-19 12:08	Create	Foreign Language	No	93808	User Change
DhsComplaintDocument	2014-03-19 12:08	Create	Document 1	DRAFT Notes from Mrs (b)(6) interview 12-05-ICE-0160 (2).docx	93808	User Change
DhsComplaintDocument	2014-03-19 12:08	Create	Document 2	Frederick (12-05-ICE-0160).msg	93808	User Change
DhsComplaintDocument	2014-03-19 12:08	Create	Document Type	Investigative Material	93808	User Change
DhsComplaintDocument	2014-03-19 12:06	Create	Dateentered	03/19/2014	93807	User Change
DhsComplaintDocument	2014-03-19 12:06	Create	Foreign Language	No	93807	User Change
DhsComplaintDocument	2014-03-19 12:06	Create	Document 1	Subject CRCL Complaint No. 12-05-ICE-0160 Short Form Complaint.msg	93807	User Change
DhsComplaintDocument	2014-03-19 12:06	Create	Document Type	Short Form Notification Letter	93807	User Change
DhsComplaintDocument	2012-06-22 13:40	Create	Foreign Language	No	87043	User Change
DhsComplaintDocument	2012-06-22	Create	Document Type	Acknowledgement	87043	User

	13:40			Letter		(b)(6)	Change
DhsComplaintDocument	2012-06-22 13:40	Create	Document 1	2.29.2012 12-05-ICE-0160.pdf	87043		User Change
DhsComplaintDocument	2012-06-22 13:40	Create	Dateentered	06/22/2012	87043		User Change
DhsComplaintDocument	2012-06-15 10:20	Create	Foreign Language	No	86928		User Change
DhsComplaintDocument	2012-06-15 10:20	Create	Dateentered	06/15/2012	86928		User Change
DhsComplaintDocument	2012-06-15 10:20	Create	Document 1	2.29.2012 (b)(6) pdf	86928		User Change
DhsComplaintDocument	2012-06-15 10:20	Create	Document Type	Incoming Letter	86928		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	State	Maryland - MD	13608		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	Incident Date	09/28/2011	13608		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	Redirect to Subject	No	13608		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	Situation	DHS law enforcement activity	13608		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	(b)(5)	(b)(5)	13608		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	Ongoing	No	13608		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	City	Frederick	13608		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	Primary Issue	Yes	13608		User Change
DhsComplaintIssue	2012-06-15 10:38	Create	Incident Location Type	Residence	13608		User Change
DhsComplaintPartiesInvolved	2012-06-15 14:02	Update	Organization		23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:24	Create	Last Name	(b)(6)	23131		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:24	Create	Phone	240-(b)(6)	23131		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:24	Create	Contact Type	Attorney	23131		User Change
	2012-			Mrs. (b)(6) wrote the complaint on her			

DhsComplaintPartiesInvolved	06-15 10:24	Create	Comments	own, but she is represented by this attorney.	23131	(b)(6)	User Change
DhsComplaintPartiesInvolved	2012-06-15 10:24	Create	Email	(b)(6)@casamd.org	23131		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:24	Create	Prefix	Atty	23131		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:24	Create	First Name	(b)(6)	23131		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Last Name	(b)(6)	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Phone	240 (b)(6)	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Contact Type	Sender	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Organization	ICE	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Sender Anonymous	No	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	City	Frederick	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Address Type	Home	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Prefix	Mrs	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Zip Code	21703	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	State	Maryland - MD	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	First Name	(b)(6)	23130		User Change
DhsComplaintPartiesInvolved	2012-06-15 10:22	Create	Address Line 1	(b)(6)	23130		User Change

From: (b)(6)
To:
Subject: FW: CRCL Complaint Number 12-06-ICE-0105
Date: Monday, April 16, 2012 9:43:57 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6) [REDACTED]@HQ.DHS.GOV]
Sent: Friday, April 13, 2012 1:03 PM
To: (b)(6) [REDACTED]
Cc: [REDACTED]
Subject: RE: CRCL Complaint Number 12-06-ICE-0105

Incident Location:

(b)(6) [REDACTED]
Irving, Texas 75061

Thank you

(b)(6) [REDACTED]
Office for Civil Rights & Civil Liberties
Department of Homeland Security
(202) 357-(b)(6) (phone)
(202) (b)(6) bb)
(b)(6) [REDACTED]@hq.dhs.gov

From: (b)(6) [REDACTED]
Sent: Friday, April 13, 2012 12:50 PM
To: (b)(6) [REDACTED]
Subject: RE: CRCL Complaint Number 12-06-ICE-0105

Can you please provide the location of the incident?

Thank you,

(b)(6)

Investigator
DHS-OIG INV
(202) (b)(6)

From: (b)(6) [PHQ.DHS.GOV]

Sent: Friday, April 13, 2012 10:25 AM

To: (b)(6)

Cc:

Subject: CRCL Complaint Number 12-06-ICE-0105

(b)(6)

Summary of new complaint for your review:

On March 26, 2012, CRCL received email correspondence from Mr. (b)(6) a U.S. Citizen (USC), alleging that on March 24, 2012 around 7:30 am, 5 or 6 ICE agents arrived at his residence looking for a fugitive. Mr. (b)(6) consented to allowing ICE to search inside his home, but Mr. (b)(6) states that he noticed after the agents left that they had also searched his car (automobile) leaving all of his paper work thrown on the passenger side of the vehicle. Mr. (b)(6) states that he did not consent to a car search.

Thank you

(b)(6)

Program Analyst
Compliance Branch
Office for Civil Rights & Civil Liberties
Department of Homeland Security

Warning: This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email.



**Homeland
Security**

September 18, 2012

(b)(6)

Irving, Texas 75061

Re: Complaint No. 12-06-ICE-0105

Dear Mr. (b)(6)

This letter is a follow-up in response to the complaint you sent to the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL), dated March 26, 2012, alleging that U.S. Immigration and Customs Enforcement (ICE) officers searched your vehicle without your consent on March 24, 2012.

On June 1, 2012, this Office referred your complaint to the ICE Office of Professional Responsibility (OPR) to conduct an investigation concerning your allegation. On September 5, 2012, OPR provided the closing report, dated August 23, 2012, to this Office. As part of their investigation, OPR interviewed you and the ICE officers whom you alleged searched your vehicle without your consent. On March 24, 2012, the ICE officers were conducting an official investigation and were lawfully at your residence on that day. During your interview with the OPR staff, you indicated that you gave the officers verbal consent to search your residence. You also stated in your interview with the OPR staff that you had not seen any officers search your vehicle, but you believed the officers did search your vehicle, rummaged through the documents in the glove box and found your wife's address. OPR also interviewed all of the officers involved in the operation and they all indicated that they had not searched, nor had they seen anybody search any vehicle while at your residence on March 24, 2012.

Based on these facts, ICE OPR did not substantiate the allegation that your vehicle was searched by ICE officers. As a result, we are closing this complaint.

If you have additional information or allegations regarding inappropriate treatment by officials of the Department, do not hesitate to provide the information. Thank you for bringing this matter to our attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey S. Blumberg".

Jeffrey S. Blumberg
Director, Compliance Branch

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



OFFICE FOR CIVIL RIGHTS & CIVIL LIBERTIES (CRCL)
COMPLAINT WITHOUT RECOMMENDATIONS
CLOSURE MEMORANDUM

To: Jeffrey Blumberg
From: (b)(6)
Date: September 18, 2012
Complaint Number: 12-06-ICE-0105
Complainant Name (Alien Number): (b)(6)

Reason(s) for Closure without Recommendations (check all that apply):

(b)(5)

Complaint Synopsis and Explanation of Closing Rationale:

On March 26, 2012, CRCL received a complaint from Mr. (b)(6) who is a United States Citizen, alleging that on March 24, 2012, at approximately 7:30 am, U.S. Immigration and Customs Enforcement (ICE) officers arrived at his residence looking for a fugitive. In his complaint, Mr. (b)(6) stated that he consented to allowing the ICE officers to search his residence in connection with an ICE investigation seeking the apprehension of his brother. In his complaint, Mr. (b)(6) alleges that after the ICE officers left his house on March 24, 2012, he discovered that paperwork had been removed from the glove box and placed on the seat of his vehicle, which was parked at his residence. Mr. (b)(6) stated he received a phone call from his estranged wife who told him the agents were also at her house. Mr. (b)(6) alleged that the ICE officers violated his civil rights by searching his vehicle without his consent.

On June 1, 2012, CRCL referred Mr. (b)(6) complaint to DHS/Office of Professional Responsibility (OPR) for investigation. On September 5, 2012, OPR provided the closing report, dated August 23, 2012, to CRCL. In OPR's report, it was revealed that four ERO officers and

(b)(5), (b)(6)

(b)(5),(b)(6)

Suggested Closure Method(s) (*check all that apply*):

(b)(5)

Comments (*optional*):

For Completion by Reviewer:

Closure Recommendation Accepted _____ 

Closure Recommendation Not Accepted _____

Further Action Required: _____

¹ Typically this occurs when a complainant has been removed from the United States and no contact information is available.

From: (b)(6)@dfps.state.tx.us
To: crcl@dhs.gov
Date: Monday, March 26, 2012 11:33:39 AM
Attachments: [3SW28_002.PDF](#)

I can be contacted at:

(b)(6)

Irving, Texas 75061
#214 (b)(6)

CONFIDENTIALITY NOTICE: This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you have received this email in error please notify the sender by email, delete and destroy this message and its attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, or copying of the communication is strictly prohibited.



Department of Homeland Security (DHS)
Office for Civil Rights and Civil Liberties

Civil Rights Complaint

Fillable Version (last modified 3/15/2011)

The purpose of this form is to assist you in filing a civil rights/civil liberties complaint with the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) regarding DHS programs and activities. This form is not intended to be used for complaints about employment with DHS. You are not required to use this form to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested in the form.

CRCL Mission:

The DHS Office for Civil Rights and Civil Liberties (CRCL) supports the Department as it secures the nation while preserving individual liberty, fairness, and equality under the law. We investigate claims of civil rights and civil liberties abuses, to help DHS improve protections and programs.

Do you have a DHS civil rights or civil liberties complaint? If you believe that DHS personnel or a DHS program or activity has violated your rights, we want to hear from you. Fill out this form, or write us an email or letter.

In connection with a DHS program, activity, or policy, have you experienced:

- Discrimination based on your race, ethnicity, national origin (including language proficiency), religion, gender, or disability? (Note: do not use this form to make a complaint about employment discrimination; see www.dhs.gov/eeo.)
- Denial of meaningful access to DHS or DHS-supported programs, activities, or services due to limited English proficiency?
- Violation of your rights while in immigration detention or as a subject of immigration enforcement?
- Discrimination or inappropriate questioning related to entry into the United States?
- Violation of your right to due process, such as your right to timely notice of charges or access to your lawyer?
- Violation of the Violence Against Women Act's confidentiality requirements?
- Physical abuse or any other type of abuse inflicted upon you?
- Any other civil rights or civil liberties violation related to a DHS program or activity?

Notes on Confidentiality and Anonymity:

A) You may remain anonymous by not filling in your name, below. However, CRCL may not be able to investigate your complaint unless you provide enough information to conduct an investigation.

B) Disclosure of the information you provide, including your identity, is on a "need-to-know" basis, and is discussed in the Privacy Statement at the end of this document. **IF YOU CHECK THE BOX BELOW, WE WILL NOT DISCLOSE YOUR IDENTITY TO OTHER OFFICES, IN OR OUT OF DHS (unless it is necessary for investigation of criminal misconduct). Note, however, that this will in many situations make it very difficult or impossible, practically speaking, for us to investigate the allegations you raise.**

☐ I do NOT want CRCL to disclose my name to other offices, and understand this decision will often make it impossible for an investigation to take place

☐ I do not want my name or information, including my identity, to be disclosed to other offices, in or out of DHS, for any reason.

Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① **Information about the person who experienced the civil rights/civil liberties violation**

(fill in what you can)

Name: (b)(6)

Phone #: Cell: 214- (b)(6) Home: Work: 214- (b)(6)

Please note that we may contact you at the provided numbers.

Mailing Address: (b)(6) Irving, Texas 75061

Date of Birth: (b)(6) Email (optional): (b)(6) @yahoo.com

Alien Registration #. (if you have one and it's available): U.S. Citizen

☐ Check here if you are in detention now.

Which facility?

Facility name

Facility address

☐ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information

② **Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.**

Name: First Last Job title

Organization (if any):

Phone #: Cell: Home: Work:

Mailing Address: PO Box or Street address City State Zip

③ **What happened?** Describe your complaint. Give as much detail about your experience as possible.

On 03/24/2012 5 or 6 agents went to my residents at 7:30 AM in the morning. My address is (b)(6) Irving, Texas 75061. Ice agents also show up at my wife's address (b)(6) Cedar Hill, Texas looking for a fugitive after they left my residents. At this time me and my wife are separated and I have move home to my mother's home. This home is under my name. I was informed by Ice Agent that they wanted to come inside to look for a fugitive and they show me pictures of person that allegedly has use my resident address in fraud. I agreed for them to conduct a search inside my home. After the agents left I notice that my car was illegally search without me giving consent. All my paper work was thrown on the passenger side. I did not consent for my auto to be search, as they informed they were looking for a fugitive in the home. My wife called me a hour later and informed me that they went to her home and were looking for my Brother (b)(6) DOB (b)(6) I feel that I was mislead by ICE agents and civil rights were violated. I am requesting a official complaint with your office.

Continue on an additional page if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

Incident Occur on 03/24/2012

Address:

(b)(6)

Irving, Texas 75061

Where did this happen?

Place (for example, name the detention facility, airport, other): _____

City: Irving State or Country: Texas

④ Who treated you unfairly?

An employee, contractor, or officer of (check as many as apply):

- | | |
|---|---|
| ☐ Citizenship and Immigration Services (USCIS) | ☐ Not sure which DHS office |
| ☐ Customs and Border Protection (CBP)* | ☐ Non-DHS employee working under the authority of DHS (e.g., 287g officer) |
| ☐ Customs Officer | specify: _____ |
| ☐ Border Patrol Agent | |
| ☐ Federal Emergency Management Agency (FEMA) | |
| ☒ Immigration and Customs Enforcement (ICE) | |
| ☐ Secret Service (USSS) | |
| ☐ Transportation Security Administration (TSA)* | |
| ☐ U.S. Coast Guard (USCG) | |
| ☐ Other DHS program (specify): _____ | |

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): _____

Mailing Address: _____

Phone No. _____ Email: _____

Names (or other information, e.g., agency): _____

Mailing Address: _____

Phone No. _____ Email: _____

Continue on an additional page, if needed

- ⑥ Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?

☒ Yes: Agency/Office/Court DHS Office for Civil Rights and Civil Liberties

Date: 03/26/2012

☐ No

If so, has anyone responded to your complaint?

☐ Yes ☒ No

If Yes, describe what has been done to respond to your complaint:

Continue on an additional page, if needed.

- ⑦ Is there any other information you want us to know about or consider?

Continue on an additional page, if needed.

- ⑧ If you are not proficient in English, please indicate the language in which you prefer we communicate with you.
-

- ⑨ If you have problems understanding this form or any other question, contact CRCL:

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

Continue on this page, if needed.

Continue on this page, if needed.



Homeland
Security

April 13, 2012
Via Electronic Mail

(b)(6)
@dfps.state.tx.us

Re: Complaint No. 12-06-ICE-0105

Dear Mr. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on March 26, 2012. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,



Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to www.dhs.gov/crcl. To learn more about the Privacy Act, go to the Federal Information Center, www.pueblo.gsa.gov.



**Homeland
Security**

June 1, 2012

(b)(6)

Irving, TX 75061

Re: Complaint No. 12-06-ICE-0105

Dear Mr. (b)(6)

The Office for Civil Rights and Civil Liberties received information from you on March 26, 2012, concerning your allegation that U.S. Immigration and Customs Enforcement (ICE) Officers searched your vehicle without your consent on March 24, 2012.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against Department of Homeland Security (DHS) employees and officials concerning violations of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion.

This Office takes allegations of violations of civil rights and civil liberties very seriously. We have determined that your allegations should be investigated by ICE, a component of DHS, which will report its findings to this Office. ICE will conduct an investigation into your allegations regarding the vehicle search without consent.

We will review ICE's findings and assess compliance with civil rights requirements in these areas. The purpose of this process is to determine if your allegations raise issues that should and can be addressed by the management of DHS.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000cc-1(c). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

ICE or CRCL will contact you if additional information is needed or to report on the Department's review of this matter. If you have any questions concerning this referral, you may

contact CRCL by phone at 866-644-8360, 866-644-8361 (TTY), or by email at crcl@hq.dhs.gov. When you communicate with us, please include the complaint number. In addition, it is very important to notify us of any changes in your address or telephone number.

We thank you for your complaint; inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. You can expect to receive a letter from us informing you how the Department concluded this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

June 1, 2012

MEMORANDUM FOR:

(b)(6), (b)(7)(C)

Deputy Division Director, Investigative Support Unit
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement

Peter S. Vincent
Principal Legal Advisor
U.S. Immigration and Customs Enforcement

FROM:

Jeffrey S. Blumberg 
Director, Compliance Branch
Office for Civil Rights and Civil Liberties

(b)(6)

Attorney Advisor
Office of General Counsel

SUBJECT: Complaint No. 12-06-ICE-0105

The Office for Civil Rights and Civil Liberties (CRCL) has received a complaint alleging that ICE has violated an individual's civil rights or civil liberties. The purpose of this memorandum is to notify you of the complaint and to inform you that we are referring this complaint to ICE for investigation. We request that the appropriate office within your component complete an inquiry into the enclosed complaint within 180 days of the date of this referral. Please see the attached Referred Complaint Assistance Form for guidance regarding this inquiry.

CRCL authorities. Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL is charged with investigating and assessing complaints against DHS employees and officials of abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion. The procedures for our investigations and the recommendations they may engender are outlined in Department of Homeland Security (DHS) Management Directive 3500. We have received information concerning the above listed complaint that may fall under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1.

Protected by Attorney-Client and Deliberative Process Privileges

Access to information. More particularly, 42 U.S.C. § 2000ee-1(d) grants CRCL access to the “information, material, and resources necessary to fulfill the functions” of the office, including the complaint investigation function; Management Directive 3500 further authorizes CRCL to:

- “Notify the relevant DHS component(s) involved of the matter and its acceptance by CRCL, and whether the matter will be handled by CRCL or by the component organization”;
- “Interview persons and obtain other information deemed by CRCL to be relevant and require[e] cooperation by all agency employees”; and
- “Access documents and files that may have information deemed by CRCL to be relevant.”

Reprisals forbidden. In addition, 42 U.S.C. § 2000ee-1(e) forbids any Federal employee to subject a complainant or witness to any “action constituting a reprisal, or threat of reprisal, for making a complaint or for disclosing information to” CRCL in the course of this investigation.

This memorandum and the Referred Complaint Assistance Form are pursuant to these authorities.

Privilege and required transparency. Our communications with ICE personnel and documents generated during this review, particularly the final report, will be protected to the maximum extent possible by attorney-client and deliberative process privileges. Under 6 U.S.C. § 345(b), however, we submit an annual report to Congress—also posted on CRCL’s Web site—that is required to detail “any allegations of [civil rights] abuses . . . and any actions taken by the Department in response to such allegations.”

When the inquiry is complete, please contact CRCL with your component’s findings and recommendations. CRCL will review the matter in accordance with our mission to assist DHS to secure the Nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with your staff on this matter, will notify you when we have closed this complaint, and will provide you with any recommendations resulting from this complaint.

If you have any questions concerning this referral, please do not hesitate to contact my colleague, (b)(6) by phone at 202-357-(b)(6) or by email at (b)(6)@hq.dhs.gov.

Protected by Attorney-Client and Deliberative Process Privileges

Copies to:

(b)(6),(b)(7)(C)

Acting Chief of Staff
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement

(b)(6),(b)(7)(C)@dhs.gov

(b)(6),(b)(7)(C)

Group Supervisor
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement

(b)(6),(b)(7)(C)@ice.dhs.gov

Enclosure

Protected by Attorney-Client and Deliberative Process Privileges



OFFICE FOR CIVIL RIGHTS & CIVIL LIBERTIES (CRCL)
REFERRED COMPLAINT ASSISTANCE FORM

REFERRED COMPLAINT ASSISTANCE	
Assigned To:	U.S. Immigration and Customs Enforcement (ICE)
Requested From:	DHS Headquarters Office for Civil Rights and Civil Liberties (CRCL)
POC:	(b)(6) 202-357-(b)(6) (b)(6)@hq.dhs.gov
Date Referred to ICE:	June 1, 2012
Deadline to CRCL:	Within 180 days of the date above.
CRCL Complaint No:	12-06-ICE-0105-(b)(6)
SYNOPSIS	
On March 26, 2012, CRCL received a complaint from Mr. (b)(6) who is a United States Citizen, alleging that on March 24, 2012, at approximately 7:30 am, U.S. Immigration and Customs Enforcement (ICE) agents arrived at his residence looking for a fugitive. In his complaint, Mr. (b)(6) stated that he consented to allowing the ICE agents to search inside his home; however, he noticed after the ICE agents left that they had searched his vehicle. Mr. (b)(6) stated he did not consent to a vehicle search. (b)(5)	
ISSUES/ALLEGATIONS	
(b)(5),(b)(6)	

*Protected by Attorney-Client and Deliberative Process Privileges
Law Enforcement Sensitive*

From: (b)(6)
Sent: Friday, June 01, 2012 12:31 PM
To: (b)(6),(b)(7)(C) Vincent, Peter S
Cc: (b)(6) CRCLCompliance; (b)(6)
Subject: DHS CRCL Referral Documents Complaint No. 12-06-ICE-0105

Hello Deputy Division Director (b)(6),(b)(7)(C) and Principal Legal Advisor Peter S. Vincent:

Please find attached the CRCL correspondence in reference to Complaint Number 12-06-ICE-0105.

Thank you,

(b)(6)

*Complaints Manager
Office for Civil Rights and Civil Liberties
Department of Homeland Security
Washington, DC 20528
Phone: (202) 357- (b)(6)
Fax: (202) 401-4708*



**Homeland
Security**

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DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-12-0286 12-06-ICE-0105 (b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2012-04-13 10:20	Create	Component Referenced	ICE	8250	(b)(6)	User Change
DhsComplaint	2012-04-13 10:20	Create	Summary	On March 26, 2012, CRCL received email correspondence from Mr. (b)(6) a U.S. Citizen (USC), alleging that on March 24, 2012 around 7:30 am, 5 or 6 ICE agents arrived at his residence looking for a fugitive. Mr. (b)(6) consented to allowing ICE to	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Executive Summary	On March 26, 2012, CRCL received email correspondence from Mr. (b)(6) a U.S. Citizen (USC), alleging that on March 24, 2012 around 7:30 am, 5 or 6 ICE agents arrived at his residence looking for a fugitive. Mr. (b)(6) consented to allowing ICE to	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Days to Process	18	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Date to CRCL	03/26/2012	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Date to DHS	03/26/2012	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Date on Correspondence	03/26/2012	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Sender Type	Individual	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Method of Receipt	Email	8250		User Change
DhsComplaint	2012-04-13 10:20	Create	Entry Date	04/13/2012	8250		User Change
DhsComplaintAction	2012-09-19 10:21	Create	Reporting Summary	On March 26, 2012, CRCL received a complaint from Mr. (b)(6) who is a United States Citizen, alleging that on March 24, 2012, ICE officers arrived at his residence looking for a fugitive. In his complaint, Mr. (b)(6) stated that he consented to a	108344		User Change
DhsComplaintAction	2012-09-19 10:21	Create	Internal Summary	On March 26, 2012, CRCL received a complaint from Mr. (b)(6) who is a United States Citizen, alleging that on March 24, 2012, ICE officers arrived at his residence looking for a fugitive. In his complaint, Mr. (b)(6) stated that he consented to a	108344		User Change
DhsComplaintAction	2012-09-19 10:21	Create	Action	Closed - Referred/No Further Action	108344		User Change

DHS-004-0000721

DhsComplaintAction	2012-09-19 10:21	Create Action Date	09/19/2012	108344	(b)(6)	User Change
DhsComplaintAction	2012-06-01 12:26	Update Document	CRCL Referral Complaint Form 12-06-ICE-0105.pdf	107454		User Change
DhsComplaintAction	2012-06-01 12:26	Update Document		107454		User Change
DhsComplaintAction	2012-06-01 12:23	Update Action Date	06/01/2012	107454		User Change
DhsComplaintAction	2012-06-01 12:23	Update Action	Referred	107454		User Change
DhsComplaintAction	2012-06-01 12:23	Update Document	CRCL Referred Complaint Form 12-07-ICE-0112.pdf	107454		User Change
DhsComplaintAction	2012-04-25 11:56	Create Action Date	04/25/2012	107454		User Change
DhsComplaintAction	2012-04-25 11:56	Create Action	Short Form	107454		User Change
DhsComplaintAction	2012-04-17 13:55	Create Primary Assignment	(b)(6)	107407		User Change
DhsComplaintAction	2012-04-17 13:55	Create Action Date	04/17/2012	107407		User Change
DhsComplaintAction	2012-04-17 13:55	Create Action	Back from Officer	107407		User Change
DhsComplaintAction	2012-04-17 13:55	Create Comments	Short Form	107407		User Change
DhsComplaintAction	2012-04-17 13:55	Create Action Date	04/17/2012	107406		User Change
DhsComplaintAction	2012-04-17 13:55	Create Action	Recommendation Review	107406		User Change
DhsComplaintAction	2012-04-17 11:25	Create Action Date	04/17/2012	107388		User Change
DhsComplaintAction	2012-04-17 11:25	Create Action	Awaiting Recommendation	107388		User Change
DhsComplaintAction	2012-04-17 11:25	Create Comments	Per Deputy Director (b)(6) (b)(6) open this matter as a short form complaint assigned to (b)(6)	107388		User Change
DhsComplaintAction	2012-04-17 11:25	Create Document	12-06-ICE-0105 (OIG Response 4.16.2012).pdf	107387		User Change
DhsComplaintAction	2012-04-17 11:25	Create Action Date	04/16/2012	107387		User Change
DhsComplaintAction	2012-04-17 11:25	Create Action	IG Declines/Back from IG	107387		User Change
DhsComplaintAction	2012-04-13 10:32	Create Document	3.26.2012 12-06-ICE-0105 (email).pdf	107374		User Change
DhsComplaintAction	2012-04-13 10:32	Create Action Date	04/13/2012	107374		User Change
	2012-					User

DhsComplaintAction	04-13 10:32	Create	Action	Acknowledgement Letter Sent	107374	(b)(6)	Change
DhsComplaintAction	2012- 04-13 10:25	Create	Action Date	04/13/2012	107373		User Change
DhsComplaintAction	2012- 04-13 10:25	Create	Action	Sent to IG	107373		User Change
DhsComplaintAction	2012- 04-13 10:24	Create	Action Date	04/05/2012	107372		User Change
DhsComplaintAction	2012- 04-13 10:24	Create	Action	Open a Complaint	107372		User Change
				Per Deputy Director (b)(6) (b)(6) open this matter as a short form complaint assigned to (b)(6)			
DhsComplaintAction	2012- 04-13 10:24	Create	Comments	(b)(5),(b)(6)	107372		User Change
DhsComplaintDocument	2012- 06-01 12:43	Update	Document 2	CRCL Referral email of docs for complaint 12-06-ICE-0105.pdf	86823		User Change
DhsComplaintDocument	2012- 04-13 10:21	Create	Foreign Language	No	86467		User Change
DhsComplaintDocument	2012- 04-13 10:21	Create	Document Type	Incoming Letter	86467		User Change
DhsComplaintDocument	2012- 04-13 10:21	Create	Document 1	3 26 2012 (b)(6) pdf	86467		User Change
DhsComplaintDocument	2012- 04-13 10:21	Create	Dateentered	04/13/2012	86467		User Change
DhsComplaintDocument	2012- 06-01 12:25	Create	Document 1	CRCL Referral memo 12-06-ICE- 0105.pdf	86823		User Change
DhsComplaintDocument	2012- 06-01 12:25	Create	Dateentered	06/01/2012	86823		User Change
DhsComplaintDocument	2012- 06-01 12:25	Create	Document Type	Referral Memo	86823		User Change
DhsComplaintDocument	2012- 06-01 12:25	Create	Foreign Language	No	86823		User Change
DhsComplaintDocument	2012- 06-01 12:25	Create	Document 1	CRCL Complainant letter 12-06- ICE-0105.pdf	86822		User Change
DhsComplaintDocument	2012- 06-01 12:25	Create	Dateentered	06/01/2012	86822		User Change
DhsComplaintDocument	2012- 06-01 12:25	Create	Document Type	Referral Letter	86822		User Change
DhsComplaintDocument	2012- 06-01 12:25	Create	Foreign Language	No	86822		User Change
DhsComplaintDocument	2012- 09-19 10:01	Create	Document Type	Closed Letter	87837		User Change
DhsComplaintDocument	2012- 09-19 10:01	Create	Document 2	12-06-ICE-0105 - CRCL Closed Letter Complaint.pdf	87837		User Change

DHS-004-0000723

DhsComplaintDocument	2012-09-19 10:01	Create	Dateentered	09/19/2012	87837	(b)(6)	User Change
DhsComplaintDocument	2012-09-19 10:01	Create	Foreign Language	No	87837	(b)(6)	User Change
DhsComplaintDocument	2012-09-19 10:01	Create	Document 1	12-06-ICE-0105 Short form closure memo.pdf	87837	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:31	Create	Document Type	Investigative Material	87755	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:31	Create	Document 2	201209625-Exhibits.pdf	87755	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:31	Create	Dateentered	09/07/2012	87755	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:31	Create	Foreign Language	No	87755	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:31	Create	Document 1	AIR 201209625.out	87755	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:30	Create	Document Type	Referral Letter	87754	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:30	Create	Document 2	CRCL Referral memo 12-06-ICE-0105.pdf	87754	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:30	Create	Dateentered	09/07/2012	87754	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:30	Create	Foreign Language	No	87754	(b)(6)	User Change
DhsComplaintDocument	2012-09-07 12:30	Create	Document 1	CRCL Referral Complaint Form 12-06-ICE-0105.pdf	87754	(b)(6)	User Change
DhsComplaintIssue	2012-07-17 11:35	Update	Incident Location	(b)(6),Non Responsive	13462	(b)(6)	User Change
DhsComplaintIssue	2012-04-13 10:27	Create	City	Irving	13462	(b)(6)	User Change
DhsComplaintIssue	2012-04-13 10:27	Create	Incident Location Type	Residence	13462	(b)(6)	User Change
DhsComplaintIssue	2012-04-13 10:27	Create	Incident Location	(b)(6)	13462	(b)(6)	User Change
DhsComplaintIssue	2012-04-13 10:27	Create	(b)(5)	(b)(5)	13462	(b)(6)	User Change
DhsComplaintIssue	2012-04-13 10:27	Create	Incident Date	03/24/2012	13462	(b)(6)	User Change
DhsComplaintIssue	2012-04-13 10:27	Create	Primary Issue	Yes	13462	(b)(6)	User Change
DhsComplaintIssue	2012-04-13 10:27	Create	Redirect to Subject	No	13462	(b)(6)	User Change
DhsComplaintIssue	2012-04-13 10:27	Create	Ongoing	No	13462	(b)(6)	User Change
	2012-					(b)(6)	User

DhsComplaintIssue	04-13 10:27	Create	Situation	DHS law enforcement activity	13462	(b)(6)	Change
DhsComplaintIssue	2012- 04-13 10:27	Create	State	Texas - TX	13462		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	Prefix	Mr	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	Contact Type	Sender	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	Address Line 1	(b)(6)	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	Alt Email	(b)(6)@yahoo.com	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	Phone	214 (b)(6)	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	City	Irving	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	Last Name	(b)(6)	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	First Name	(b)(6)	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	Email	(b)(6)@dfps.state.tx.us	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	Zip Code	75061	22855		User Change
DhsComplaintPartiesInvolved	2012- 04-13 10:30	Create	State	Texas - TX	22855		User Change



Homeland
Security

April 2, 2013

Via electronic mail

(b)(6)

Central American Resource Center (CARECEN)
1460 Columbia Road, NW Suite C-1
Washington, DC 20009

(b)(6)@careccndc.org

Re: Complaint No. 13-06-ICE-0126

Dear Ms. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on March 18, 2013. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security (DHS).

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at CRCLCompliance@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000cc-1(c). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.

From: CRCL
To: (b)(6) @carecendc.org"
Subject: Follow up to CRCL Complaint Number 13-06-ICE-0126
Date: Tuesday, April 02, 2013 10:39:00 AM
Attachments: 03.18.2013 13-06-ICE-0126.pdf
image001.png

Dear Ms. (b)(6)

Please see the attached correspondence from the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties. Thank you.

Sincerely,

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

This message, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by replying "received in error," and delete the message. In addition, this document may be used FOR OFFICIAL USE ONLY (FOUO) and/or contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). Therefore, it is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information, and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. Thank you.

From: (b)(6)@carecendc.org]
Sent: Monday, March 18, 2013 04:58 PM Eastern Standard Time
To: (b)(6)
Subject: Guidance on reporting ICE activity on building premises in DC

Dear Mr. (b)(6)

I received your contact information through (b)(6) email informing us of his departure from your office. I'd like to know if your office could help us with a particular issue we've been informed of in the neighborhood. Apart from providing immigration legal services, our organization also supports tenant associations in the Columbia Heights neighborhood in D.C. We have received complaints from a certain tenant association (b)(6) that ICE has appeared at their building at least 3 times in the early morning since February 26, looking for an individual that they believe lives on the 3rd floor, but they do not know which exact unit he lives in. They have stopped tenants leaving the building and have asked for their ID's and have knocked on apartments on the third floor of both buildings (the two buildings are adjoined) and have asked tenants in these apartments about this individual (showing photograph) and for their documents. We know that at least on the first occasion there were at least 8 ICE agents at the building and a fewer on the other two occasions they returned. It's clear that the agents don't have a warrant for the individual they're looking for and as a consequence of searching the building, they are alarming the tenants there.

I'd like to know if this type of complaint is one that your office handles and if an official complaint should be filed. If not, what is the most appropriate office to reach? Also, if you have any other suggests on how the Tenant Association can deal with these searches, I'd appreciate it. Thank you very much.

(b)(6)
Central American Resource Center (CARECEN)
1460 Columbia Road, NW Suite C-1
Washington, DC 20009
Phone: (202)328-(b)(6) | Fax: (202)(b)(6)
Email: (b)(6)@carecendc.org Web: www.carecendc.org



CONFIDENTIALITY NOTICE: This message is from The Central American Resource Center. This message and any attachments may contain attorney work product or legally privileged or confidential information. This message and its contents are intended only for the individual or entity identified above as the addressee. If you are not the addressee, or if this message has been addressed to you in error, you are not authorized to read, copy, distribute this message or any attachments, and we ask that you please delete this message and attachments (including copies) and notify the sender by

return e-mail or telephone at 202-328-9799 x 27. Delivery of this message and any attachments to any person other than the intended recipient(s) is not intended in any way to waive confidentiality or a privilege.

From: (b)(6)
To: (b)(6)
Cc: [CRCLCompliance](#)
Subject: FW: Guidance on reporting ICE activity on building premises in DC
Date: Wednesday, March 27, 2013 5:59:27 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Hi (b)(6)

Please process the email correspondence below from (b)(6) of CRCL's Community Engagement Section as a new Contact. Separately, please log in this entire thread as internal CRCL email regarding this matter. To date, we have not received any additional information from (b)(6) regarding this matter.

(b)(6) presented this matter at the case opening meetnig today. Jeff decided it will be opened as a short-form complaint.

Please let me know if you have any questions.

Thank you.

(b)(6)
Policy Advisor
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
(b)(6)@hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email.

From: (b)(6)
Sent: Monday, March 18, 2013 5:38 PM
To: (b)(6)
Cc: [CRCLCompliance](#)
Subject: FW: Guidance on reporting ICE activity on building premises in DC

(b)(6)

Can you please review and present the matter below at the next case opening meeting? If Compliance receives any additional information on the allegations in the interim, we will forward it to you.

Thanks,

(b)(6)

From: (b)(6)
Sent: Monday, March 18, 2013 5:33 PM
To: (b)(6) Blumberg, Jeffrey
Cc: (b)(6)
Subject: Re: Guidance on reporting ICE activity on building premises in DC

Ok, will do, thanks.

(b)(6)

Senior Policy Advisor / Section Lead
Community Engagement Section
Office for Civil Rights and Civil Liberties (CRCL)
Office of the Secretary
US Department of Homeland Security (DHS)
202-(b)(6) (Mobile)
(b)(6)@hq.dhs.gov
<http://www.dhs.gov/crcl>

This message may contain agency deliberative communications, privacy information or other information that may be privileged and exempt from disclosure outside the agency or to the public. Please consult with the US Department of Homeland Security, Office for Civil Rights and Civil Liberties and the Office of General Counsel before disclosing any information contained in this email.

From: (b)(6)
Sent: Monday, March 18, 2013 05:28 PM Eastern Standard Time
To: Blumberg, Jeffrey; (b)(6)
Cc: (b)(6)
Subject: RE: Guidance on reporting ICE activity on building premises in DC

(b)(6)

When you reply to (b)(6) can you please ask her to submit her complaint to CRCL at CRCLCompliance@hq.dhs.gov, in addition to sending it to the ICE Public Advocate? She can send it to both CRCL and the Public Advocate's Office if she wishes.

Thanks,

(b)(6)

Policy Advisor
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

202-357-(b)(6)

(b)(6)@hq.dhs.gov

From: Blumberg, Jeffrey

Sent: Monday, March 18, 2013 5:21 PM

To: (b)(6)

Cc:

Subject: Re: Guidance on reporting ICE activity on building premises in DC

Thanks (b)(6) We may be interested and will discuss at our next case opening.

Thanks,

Jeff

From: (b)(6)

Sent: Monday, March 18, 2013 05:17 PM Eastern Standard Time

To: Blumberg, Jeffrey; (b)(6)

Cc: Gersten, David; (b)(6)

Subject: Fw: Guidance on reporting ICE activity on building premises in DC

Jeff and (b)(6)

I will forward this matter to ICE Public Advocate as it appears to be a matter they would likely address. However, I wanted to forward to your attention in case you think its something Compliance may wish to review. Please advise.

Thanks,

(b)(6)

Senior Policy Advisor / Section Lead
Community Engagement Section
Office for Civil Rights and Civil Liberties (CRCL)
Office of the Secretary
US Department of Homeland Security (DHS)

202-(b)(6) (Mobile)

(b)(6)@hq.dhs.gov

<http://www.dhs.gov/crcl>

This message may contain agency deliberative communications, privacy information or other information that may be privileged and exempt from disclosure outside the agency or to the public. Please consult with the US Department of Homeland Security, Office for Civil Rights and Civil Liberties and the Office of General Counsel before disclosing any information contained in this email.

From: CRCL DHSOIGHotline
To: (b)(6)
Cc:
Subject: RE: CRCL Complaint Number 13-06-ICE-0126 Box 1
Date: Monday, April 01, 2013 10:15:39 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6) [redacted]@hq.dhs.gov]
Sent: Thursday, March 28, 2013 4:55 PM
To: CRCL DHSOIGHotline
Cc: (b)(6) [redacted]
(b)(6) [redacted]
Subject: CRCL Complaint Number 13-06-ICE-0126

DHS OIG,

Summary of a new complaint for your review:

On March 18, 2013, CRCL received an email correspondence from (b)(6) [redacted] (b)(6) [redacted] from the Central American Resource Center (CARECEN). In her email, Ms. (b)(6) [redacted] states that her organization has received several complaints from a certain tenant association in the Columbia Heights DC neighborhood (b)(6) [redacted] regarding ICE activities in their buildings. Ms. (b)(6) [redacted] alleges that ICE agents have appeared at the buildings three times in the morning since February 26. Ms. (b)(6) [redacted] states that the ICE agents are looking for a certain individual who they believe lives there and, as a result, ICE has stopped and asked individuals for their IDs and knocked on residents' doors to ask about this person and have also asked for their documents. Ms. (b)(6) [redacted] believes the agents do not have a warrant for this individual and ICE is alarming the tenants who live there.

Thank you.

(b)(6)

Office for Civil Rights and Civil Liberties

U.S. Department of Homeland Security

202-357-(b)(6)

(b)(6)@hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email.



Department of Homeland Security (DHS)
Office for Civil Rights and Civil Liberties

Civil Rights Complaint

Fillable Version (last modified 3/15/2011)

The purpose of this form is to assist you in filing a civil rights/civil liberties complaint with the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) regarding DHS programs and activities. This form is not intended to be used for complaints about employment with DHS. You are not required to use this form to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested in the form.

CRCL Mission:

The DHS Office for Civil Rights and Civil Liberties (CRCL) supports the Department as it secures the nation while preserving individual liberty, fairness, and equality under the law. We investigate claims of civil rights and civil liberties abuses, to help DHS improve protections and programs.

Do you have a DHS civil rights or civil liberties complaint? If you believe that DHS personnel or a DHS program or activity has violated your rights, we want to hear from you. Fill out this form, or write us an email or letter.

In connection with a DHS program, activity, or policy, have you experienced:

- Discrimination based on your race, ethnicity, national origin (including language proficiency), religion, gender, or disability? (Note: do not use this form to make a complaint about employment discrimination; see www.dhs.gov/eeo.)
- Denial of meaningful access to DHS or DHS-supported programs, activities, or services due to limited English proficiency?
- Violation of your rights while in immigration detention or as a subject of immigration enforcement?
- Discrimination or inappropriate questioning related to entry into the United States?
- Violation of your right to due process, such as your right to timely notice of charges or access to your lawyer?
- Violation of the Violence Against Women Act's confidentiality requirements?
- Physical abuse or any other type of abuse inflicted upon you?
- Any other civil rights or civil liberties violation related to a DHS program or activity?

Notes on Confidentiality and Anonymity:

- A) You may remain anonymous by not filling in your name, below. However, CRCL may not be able to investigate your complaint unless you provide enough information to conduct an investigation.
- B) Disclosure of the information you provide, including your identity, is on a "need-to-know" basis, and is discussed in the Privacy Statement at the end of this document. IF YOU CHECK THE BOX BELOW, WE WILL NOT DISCLOSE YOUR IDENTITY TO OTHER OFFICES, IN OR OUT OF DHS (unless it is necessary for investigation of criminal misconduct). Note, however, that this will in many situations make it very difficult or impossible, practically speaking, for us to investigate the allegations you raise.
☐ I do NOT want CRCL to disclose my name to other offices, and understand this decision will often make it impossible for an investigation to take place.
- C) Retaliation against complainants to CRCL is unlawful; if you feel you have been a victim of reprisal, CALL US. 1-866-644-8360.

Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① Information about the person who experienced the civil rights/civil liberties violation

(fill in what you can)

Name: Tenants at (b)(6) Washington, DC

First and Middle

Last

Phone #: Cell: Home: Work:

Please note that we may contact you at the provided numbers.

Mailing Address: (b)(6) Washington, DC 20011

PO Box or Street address

City

State

Zip

Date of Birth: Email (optional):

Alien Registration #. (if you have one and it's available):

☐ Check here if you are in detention now.

Which facility?

Facility name

Facility address

☒ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information (b)(6) @carecen.org

② Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.

Name: (b)(6)

First

Last

Job title

Organization (if any): CARECEN - Central American Resource Center

Phone #: Cell: Home: Work: (202) (b)(6)

Mailing Address: 1460 Columbia Road NW, Suite C1, Washington, DC 20009

PO Box or Street address

City

State

Zip

③ What happened? Describe your complaint. Give as much detail about your experience as possible.

Please see attached continuation sheet.

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

ICE's visit to (b)(6) Washington DC happened on February 26, 2013 and began as early as 5:30am and lasted as late as 10am.

Where did this happen?

Place (for example, name the detention facility, airport, other): (b)(6)

City: Washington

State or Country: DC

④ Who treated you unfairly?

An employee, contractor, or officer of (check as many as apply):

☐ Citizenship and Immigration Services (USCIS)

☐ Customs and Border Protection (CBP)*

☐ Customs Officer

☐ Border Patrol Agent

☐ Federal Emergency Management Agency (FEMA)

☒ Immigration and Customs Enforcement (ICE)

☐ Secret Service (USSS)

☐ Transportation Security Administration (TSA)*

☐ U.S. Coast Guard (USCG)

☐ Other DHS program (specify):

☐ Not sure which DHS office

☐ Non-DHS employee working under the authority of DHS (e.g., 287g officer)

specify: _____

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): _____

Mailing Address: _____

PO Box or Street address

City

State or Country

Zip

Phone No.: _____ Email: _____

Names (or other information, e.g., agency): _____

Mailing Address: _____

PO Box or Street address

City

State or Country

Zip

Phone No.: _____ Email: _____

Continue on an additional page, if needed.

- ⑥ Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?

☐ Yes: Agency/Office/Court _____ Date: _____

☒ No

If so, has anyone responded to your complaint?

☐ Yes ☒ No

If Yes, describe what has been done to respond to your complaint:

Continue on an additional page, if needed.

- ⑦ Is there any other information you want us to know about or consider?

Continue on an additional page, if needed.

- ⑧ If you are not proficient in English, please indicate the language in which you prefer we communicate with you.
-

- ⑨ If you have problems understanding this form or any other question, contact CRCL:

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or
Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470
Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security
CRCL/Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 5 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov.

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

Tenants at (b)(6)
Continuation Sheet

(b)(6)

The incident happened on February 26, 2013 at 5:20am as I was leaving my apartment building to go to work. As I was exiting my building at (b)(6) I heard a voice say "excuse me sir" and two men immediately approached me. One of the men approached me first and then the other one came from the other side of the street. The men looked as if they were police men. They began questioning me. They asked me where I was going and I answered that I was going to work. They asked me if I had an ID and I gave them my learner's permit. Then they asked me how long I was living in the United States and I answered that I had been living here for 10 years. They further asked me in which apartment I lived in and I responded them with my apartment number. They asked me how many people lived in my apartment, but I did not give a response. The officers wrote down the information from my ID. At no point did the officers say that they were looking for anyone.

(b)(6)

The incident happened on February 26, 2013 around 5:30am as I was going to work. As I was exiting my building I saw several men in the street. Some of them had vests that said ICE or police. I recognized they were immigration officers because I have seen them in the past. I remembered there being around 6 to 8 officers in the street. At the moment I exited the building there were three of them standing right outside the door to the building checking on people as they were coming out. I saw about three of the officers talking and checking the papers of (b)(6) my neighbor. As soon as I stepped out of the building I was asked if I was going to work and I responded that I was. They further asked me whether I knew (b)(6) and I responded that I knew him. They did not ask me for any documentation or whether they were looking for anyone in the building.

(b)(6)

Of February 26, 2013 around 5:30am I was saying good bye to my husband who was going to work when he, who was by the building's entrance, turned around and told me that the police was outside. The door to my apartment is down a flight of stairs directly in front of the building's entrance. After my husband told me that the police was in the building I came out to the entrance and saw (b)(6) our neighbor, and several other men. I saw that (b)(6) had been detained by immigration and was being asked for his papers. As I came to the door one of the officers pointed his flashlight at my face and asked me where I lived. I told him where I lived. They also asked me whether I knew Juvenal and I told them that I did. They didn't ask me or my husband for our papers and they didn't ask me any other question. Afterwards, I saw them go into the building and go to the floors above me. There were about eight of them and I heard them knocking on other doors. After that I went inside my apartment and don't know when they left.

(b)(6)

Tenants at (b)(6)
Continuation Sheet

My mother, who lives in my same building, called me around 5:45am and told me that immigration officers were in the building. I went to (b)(6) my sister's apartment, which has a direct view to the front of the street to see what was going on. I saw around four vans in the street and around 6 am I started hearing radios. I then saw into the keyhole and saw the officers inside the building, their vests said ICE and there were about 8 of them. I believe they skipped my floor, but I heard them knocking on doors on the third floor.

(b)(6)

The officers came to my door 4 times and they knocked very hard. This happened in the morning, I believe that this lasted until around 10am. I did not open the last time they knocked because they had already knocked too many times and I was afraid.

CRCLCompliance

From: CRCLCompliance
Sent: Friday, September 27, 2013 12:16 PM
To: (b)(6)@carecendc.org
Subject: Follow-up to CRCL Complaint Number 13-06-ICE-0126
Attachments: FINAL Close Letter - Complaint No. 13-06-ICE-0126.pdf

Dear Ms. (b)(6)

Please see the attached correspondence from the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties. Thank you.

Sincerely,

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

This message, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by replying "received in error," and delete the message. In addition, this document may be used FOR OFFICIAL USE ONLY (FOUO) and/or contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). Therefore, it is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information, and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. Thank you.



**Homeland
Security**

September 26, 2013

(b)(6)

Central American Resource Center (CARECEN)
1460 Columbia Road, NW Suite C-1
Washington, DC 20009

(b)(6)@carecenc.org

Re: Complaint No. 13-06-ICE-0126

Dear Ms. (b)(6)

This letter is in response to the correspondence the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from you on March 18, 2013. Your correspondence alleged that Immigration and Customs Enforcement (ICE) agents were alarming local residents in Washington, DC during enforcement operations over several days.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against DHS employees and officials concerning violations of civil rights and civil liberties.

Accordingly, CRCL attempted to conduct an investigation into the allegations. However, since May, 2013, CRCL has not received a response from you to our email and phone requests for assistance. Thus the allegations could not reasonably be investigated and CRCL has recommended closure of this complaint. Should you choose to provide CRCL with more information, we will re-open this investigation.

This concludes our review of this complaint. If you have any additional information or allegations do not hesitate to provide the information. We appreciate you bringing these matters to our attention; inquiries like this help the Department of Homeland Security meet its obligation to protect civil rights and civil liberties.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey S. Blumberg".

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Protected by Attorney-Client and Deliberative Process Privileges



**OFFICE FOR CIVIL RIGHTS & CIVIL LIBERTIES (CRCL)
COMPLAINT CLOSURE WITHOUT RECOMMENDATIONS**

To: Jeffrey Blumberg
From: (b)(6)
Date: September 26, 2013
Complaint Number: 13-06-ICE-0126
Complainant Name(A#): (b)(6)

Finding(s) for Closure without Recommendations - (check all that apply):

(b)(5)

Reason for Closing:

On March 13, 2013, CRCL received email correspondence from (b)(6) (b)(6) at the Central American Resource Center (CARECEN) indicating her organization received several complaints relating to ICE enforcement activity in Columbia Heights, Washington, DC. Specifically, (b)(6) alleged that ICE agents were searching, without a warrant, for an individual in a building in Columbia Heights, and in the process were stopping several others inquiring about immigration status.

(b)(5),(b)(6)

Special Circumstances

Recommend Office of General Counsel (OGC) Review (Y/N)

If Yes- provide a brief explanation

Suggested Closure Method(s) (*check all that apply*):

(b)(5)

Supporting Documents Attached:

For Completion by Reviewer:

Closure Recommendation Accepted ☒

Not Accepted ☐

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-13-0275 13-06-ICE-0126 (b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2013-03-28 16:09	Create	Component Referenced	ICE	8951	(b)(6)	User Change
DhsComplaint	2013-03-28 16:09	Create	Summary	On March 18, 2013, CRCL received an email correspondence from (b)(6) Services from the Central American Resource Center (CARECEN). In her email, Ms. (b)(6) states that her organization has received several comp	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Executive Summary	On March 18, 2013, CRCL received an email correspondence from (b)(6), Services from the Central American Resource Center (CARECEN). In her email, Ms. (b)(6) states that her organization has received several comp	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Days to Process	10	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Date to CRCL	03/18/2013	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Date to DHS	03/18/2013	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Date on Correspondence	03/18/2013	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Sender Type	NGO/Organization	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Method of Receipt	Email	8951		User Change
DhsComplaint	2013-03-28 16:09	Create	Entry Date	03/28/2013	8951		User Change
DhsComplaintAction	2013-04-02 10:14	Create	Action	Awaiting Recommendation	109965		User Change
DhsComplaintAction	2013-04-02 10:14	Create	Action Date	04/02/2013	109965		User Change

DHS-004-0000748

DhsComplaintAction	2013-04-02 10:14	Create	Comments	Per Jeff, open as a short form complaint. Assigned to (b)(6) as primary and (b)(6) as secondary.	109965	(b)(6)	User Change
DhsComplaintAction	2013-04-02 10:13	Create	Document	13-06-ICE-0126 (OIG Response 04.01.2013).pdf	109964	(b)(6)	User Change
DhsComplaintAction	2013-04-02 10:13	Create	Action	IG Declines/Back from IG	109964	(b)(6)	User Change
DhsComplaintAction	2013-04-02 10:13	Create	Action Date	04/01/2013	109964	(b)(6)	User Change
DhsComplaintAction	2013-03-28 16:50	Create	Action Date	03/28/2013	109908	(b)(6)	User Change
DhsComplaintAction	2013-03-28 16:50	Create	Action	Sent to IG	109908	(b)(6)	User Change
DhsComplaintAction	2013-03-28 16:50	Create	Action Date	03/27/2013	109907	(b)(6)	User Change
DhsComplaintAction	2013-03-28 16:50	Create	Comments	Per Jeff, open as a short form complaint. Assigned to (b)(6) as primary and (b)(6) as secondary.	109907	(b)(6)	User Change
DhsComplaintAction	2013-03-28 16:50	Create	Action	Open a Complaint	109907	(b)(6)	User Change
DhsComplaintAction	2013-04-02 15:46	Create	Secondary Assignment	(b)(6)	110007	(b)(6)	User Change
DhsComplaintAction	2013-04-02 15:46	Create	Action	Back from Officer	110007	(b)(6)	User Change
DhsComplaintAction	2013-04-02 15:46	Create	Action Date	04/02/2013	110007	(b)(6)	User Change
DhsComplaintAction	2013-04-02 15:46	Create	Comments	short form assign to (b)(6) as primary and (b)(6) as 2nd.	110007	(b)(6)	User Change
DhsComplaintAction	2013-04-02 15:46	Create	Primary Assignment	(b)(6)	110007	(b)(6)	User Change
DhsComplaintAction	2013-04-02 15:46	Create	Action	Recommendation Review	110006	(b)(6)	User Change
DhsComplaintAction	2013-04-02 15:46	Create	Action Date	04/02/2013	110006	(b)(6)	User Change
DhsComplaintAction	2013-09-30 12:00	Create	Internal Summary	On March 13, 2013, CRCL received email correspondence from (b)(6) at the Central American Resource Center (CARECEN) indicating her organization received several complaints relating	111448	(b)(6)	User Change

				to ICE enforcement activity in Co		(b)(6)	
DhsComplaintAction	2013-09-30 12:00	Create	Action Date	09/30/2013	111448		User Change
DhsComplaintAction	2013-09-30 12:00	Create	Action	Closed - Short Form/No Further Action	111448		User Change
DhsComplaintAction	2013-09-30 12:00	Create	Reporting Summary	On March 13, 2013, CRCL received a complaint improper ICE enforcement activity. After several months of trying to contact the complainant with no response, CRCL has chosen to close this complaint. Should the complainant respond or provide more informati	111448		User Change
DhsComplaintAction	2013-05-23 16:02	Create	Action Date	05/23/2013	110413		User Change
DhsComplaintAction	2013-05-23 16:02	Create	Action	Short Form	110413		User Change
DhsComplaintDocument	2013-04-05 17:24	Create	Dateentered	04/05/2013	90252		User Change
DhsComplaintDocument	2013-04-05 17:24	Create	Comments	This complaint was opened based on an email. The complainant has now drafted a full complaint for with additional details.	90252		User Change
DhsComplaintDocument	2013-04-05 17:24	Create	Foreign Language	No	90252		User Change
DhsComplaintDocument	2013-04-05 17:24	Create	Document Type	Incoming Letter	90252		User Change
DhsComplaintDocument	2013-04-05 17:24	Create	Document 1	civil rights (3).pdf	90252		User Change
DhsComplaintDocument	2013-09-30 11:56	Create	Foreign Language	No	92087		User Change
DhsComplaintDocument	2013-09-30 11:56	Create	Document Type	Final Report	92087		User Change
DhsComplaintDocument	2013-09-30 11:56	Create	Dateentered	09/30/2013	92087		User Change
DhsComplaintDocument	2013-09-30 11:56	Create	Document 1	FINAL SF Close Memo - Complaint No. 13-06-ICE-0126.pdf	92087		User Change
DhsComplaintDocument	2013-09-30 11:56	Create	Foreign Language	No	92086		User Change
DhsComplaintDocument	2013-09-30 11:56	Create	Document Type	Closed Letter	92086		User Change
DhsComplaintDocument	2013-09-30	Create	Dateentered	09/30/2013	92086		User Change

(b)(6)

DhsComplaintIssue	03-28 16:16	Create	State	District of Columbia - DC	14255	(b)(6)	User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Redirect to Subject	No	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Incident Date	02/26/2013	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Situation	DHS law enforcement activity	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Ethnicity	Hispanic or Latino	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	(b)(5)	(b)(5)	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Incident Location Type	Residence	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Ongoing	No	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Primary Issue	Yes	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Incident Location	(b)(6)	14255		User Change
DhsComplaintIssue	2013- 03-28 16:16	Create	Comments	Columbia Heights neighborhood	14255		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:14	Update	Comments	(b)(6)	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:14	Update	Last Name	(b)(6)	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:13	Update	Email	(b)(6)@carecencdc.org	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:13	Update	Phone	202-(b)(6)	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:12	Create	Address Line 1	Central American Resource Center (CARECEN)	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:12	Create	Contact Type	Sender	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:12	Create	Comments	(b)(6)	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:12	Create	Middle Name	(b)(6)	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28 16:12	Create	Last Name	(b)(6)	23977		User Change
DhsComplaintPartiesInvolved	2013- 03-28	Create	First Name	(b)(6)	23977		User

DHS-004-0000752

16:12

Change



**Homeland
Security**

May 7, 2013

(b)(6)

Bronx, NY 10468

Re: Complaint No. 13-06-ICE-0158; (b)(6)

Dear Mr. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on March 15, 2013, forwarded to CRCL by DHS OIG. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security (DHS).

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at CRCLCompliance@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.

From: DHSOIGHotlineMailbox [mailto:DHSOIGHotlineMailbox@oig.dhs.gov]

Sent: Friday, March 15, 2013 4:20 PM

To: JOINT INTAKE

Cc: CRCLCompliance; (b)(6)

Subject: DHS OIG C1306855; (b)(6)

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information is furnished for whatever administrative action or inquiry you consider appropriate. Should your office take any administrative or personnel action in response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

AFFIDAVIT OF SERVICE

Pursuant to Federal Tort Claims Act, I, (b)(6) of legal age, make this affidavit that the original and copies of the NOTICE OF CLAIM has been submitted this March , 2013 to the United States Postal Service, via certified mail with return receipt to be served to the following parties:

Janet Napolitano
Department of Homeland Security
Nebraska Avenue Complex,
Washington, D.C. 20528

Eric Holder
U.S. Department of Justice
950 Pennsylvania Avenue, NW, Washington, D.C 20530-0001

John T. Morton
U.S. Immigration and Customs Enforcement
500 12th Street, SW, Washington, D.C. 20536

Office of the Inspector General
U.S. Department of Homeland Security
245 Murray Drive, Building 410 Stop 2600
Washington, D.C. 20528

Respectfully,

(b)(6)

Bronx, NY 10468

NOTARY PUBLIC

Subscribed and sworn to before me
this 28th day of February 2014 OR
(b)(6) Public

(b)(6)
Notary Public, State of New York
(b)(6)
Qualified in Bronx County
Commission Expires Dec 23, 2014

DHS-004-0000758

To whom it may concern,

2/25/13

My name is (b)(6) a detainee at Hudson County Correctional Facility in Kearny, New Jersey. I am respectfully putting you on notice of a civil rights violation. I am a United States citizen who has been falsely arrested by ICE officers at my home on January 30, 2013 at about 6:00 am in the morning. They aggressively barged into my home without a valid search warrant as my wife opened the door, surrounded me, my wife and my two young children. They refused to identify themselves or answer any questions, they continued into the other rooms in my home and took all of my identifications then arrested me (I should have been given a search warrant specifying what they were there for and what they should have been looking for). I was

(b)(6)

United States citizen, I still hold a valid IR-2 status as acknowledge by the government. The factor that is being over looked is that my (b)(6)

(b)(6)

and is a United States citizen. I am awaiting at the moment on (b)(6) to produce the documentation of my father's birth certificate. I've already submitted to the

courts my parent's marriage certificate,
my translated birth certificate, my baptism
certificate and a copy of a passport
stating my father's name, also included
is the request form requesting my father's
birth certificate. I've taken the liberty
to enclose copies to your office hoping
for your kind assistance on this matter.
I was brought to this country at the
age of about one and a half years old
by both my parent's on or about April 1,
1979. My father is a United States citizen
hence, I am a United States citizen and
ICE officers are violating my
Constitutional rights

02252013

(b)(6)
Notary Public of New Jersey
My Commission Expires

(b)(6)

Hudson County Correctional Facility
35 Hackensack AVE
Kearny, NJ 07032

Home address:

(b)(6)

Bronx NY 10468

(b)(6)

From: CRCLCompliance

Sent: Thursday, April 18, 2013 9:13 AM

To: (b)(6) CRCLCompliance; (b)(6)

Cc: (b)(6)

Subject: RE: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)

Thanks, (b)(6) After CRCL discusses this matter and Jeff decides how we will handle it, I will update you, probably by tomorrow.

(b)(6)

Office for Civil Rights and Civil Liberties

U.S. Department of Homeland Security

202-357- (b)(6)

(b)(6) @hq.dhs.gov

From: (b)(6)

Sent: Thursday, April 18, 2013 7:47 AM

To: CRCLCompliance; (b)(6)

Cc: (b)(6)

Subject: RE: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)

(b)(6)

Thanks. As with the (b)(6) case from yesterday, I will forward this to the ICE FTCA POC but is this a

(b)(5)

Thanks.

(b)(6)

Attorney Advisor

U.S. Department of Homeland Security

Office of General Counsel, Legal Counsel Division

(b)(6) @hq.dhs.gov

Desk: 24 (b)(6)

Cell: 202 (b)(6)

Fax: 248.351.2714

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From: CRCLCompliance

Sent: Wednesday, April 17, 2013 6:12 PM

To: (b)(6)

Cc: CRCLCompliance; (b)(6)

Subject: FW: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)

Hi (b)(6)

Attached for OGC's information and any action you deem appropriate is a Federal Tort Claims Act (FTCA) claim from (b)(6). DHS OIG received this correspondence and forwarded it to the DHS Joint Intake Center (JIC) and CRCL on March 15, 2013. Please excuse our delay in forwarding it to you. The claimant, who was an ICE detainee at the time of writing his correspondence dated February 25, 2013, states that he is a U.S. citizen who was wrongly arrested and detained by ICE.

Attached also for your information are select ENFORCE EARM database records run by CRCL. According to EARM, Mr. (b)(6) was released from detention under an Order of Recognizance on April 3, 2013.

Thank you.

(b)(6)

Policy Advisor
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
(b)(6)@hq.dhs.gov

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From: CRCL Compliance
To: (b)(6) CRCL Compliance; (b)(6)
Cc: (b)(6)
Subject: RE: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)
Date: Friday, April 19, 2013 11:45:00 AM

Hi (b)(6)

As Jeff decided yesterday, CRCL will open this matter as a short form complaint and will stay it pending the resolution of the FTCA matter.

Thank you.

(b)(6)

Policy Advisor
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
(b)(6)@hq.dhs.gov

Duplicate

From: CRCLCompliance
To: (b)(6) CRCLCompliance
Cc: (b)(6)
Blumberg, Jeffrey
Subject: RE: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)
Date: Tuesday, April 23, 2013 12:23:00 PM

Thank you, (b)(6)

We will add this information to the complaint file. (As stated in my 4/19/2013 email, CRCL has decided to open this matter as short-form complaint.)

(b)(6)

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
(b)(6)@hq.dhs.gov

From: (b)(6)
Sent: Tuesday, April 23, 2013 10:59 AM
To: CRCLCompliance
Cc: (b)(6)
(b)(6)
Subject: FW: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)

CRCL,

You can go ahead and proceed on this case as you wish (you do not need to stay it as ICL is rejecting the FTCA claim as he does not meet the requirements under the FTCA). See below for information. Please let me know if you have questions.

(b)(6)

Attorney Advisor
U.S. Department of Homeland Security

Office of General Counsel, Legal Counsel Division

(b)(6)@hq.dhs.gov

Desk: 248 (b)(6)

Cell: 202 (b)(6)

Fax: 248.351.2714

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From: (b)(6),(b)(7)(C)@ice.dhs.gov]

Sent: Tuesday, April 23, 2013 10:54 AM

To: (b)(6),(b)(7)(C)

Cc:

Subject: RE: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)

(b)(6)

(b)(5),(b)(6)

Thanks,

(b)(6),(b)(7)(C)

Chief, District Court Litigation Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th Street SW, 9th Floor
Washington, DC 20024
Desk: (202) (b)(6),(b)(7)(C)
E-mail: (b)(6),(b)(7)(C)@ice.dhs.gov

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From: (b)(6)

Sent: Tuesday, April 23, 2013 10:06 AM

To: (b)(6),(b)(7)(C)

Cc: (b)(6)

Subject: RE: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)

(b)(6),(b)(7)(C)

Because the allegations in (b)(6) concern civil rights issues, my client, CRCL, has decided to open an investigation but stay the investigation until the FTCA issue is resolved. Could you please contact me when this case is over so I can let CRCL know they can begin its investigation?

Thanks so much.

(b)(6)

Attorney Advisor

U.S. Department of Homeland Security

Office of General Counsel, Legal Counsel Division

(b)(6)

@hq.dhs.gov

Desk: 248. (b)(6)

Cell: 202. (b)(6)

Fax: 248.351.2714

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From: (b)(6),(b)(7)(C)

Sent: Thursday, April 18, 2013 3:48 PM

To: (b)(6)

Cc:

Subject: RE: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)

Thank you, (b)(6)

(b)(6),(b)(7)(C)

Chief, District Court Litigation Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th Street SW, 9th Floor
Washington, DC 20024
Desk: (202) (b)(6),(b)(7)(C)
E-mail: (b)(6),(b)(7)(C) @ice.dhs.gov

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From: (b)(6)

Sent: Thursday, April 18, 2013 2:39 PM

To: (b)(6),(b)(7)(C)

Cc: (b)(6)

Subject: FW: FTCA Claim involving ICE: DHS OIG C1306855; (b)(6)

(b)(6),(b)(7)(C)

Attached is another FTCA claim against ICE. Below is background info. Thanks.

(b)(6)

Attorney Advisor

U.S. Department of Homeland Security

Office of General Counsel, Legal Counsel Division

(b)(6) @hq.dhs.gov

Desk: 248. (b)(6)

Cell: 202. (b)(6)

Fax: 248.351.2714

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Duplicate

(b)(6)

From: CRCL_DHSOIGHotline
Sent: Tuesday, May 07, 2013 9:31 AM
To: (b)(6) CRCL_DHSOIGHotline
Cc: (b)(6)
Subject: RE: CRCL Complaint Number 13-06-ICE-0158

Follow Up Flag: Follow up
Flag Status: Flagged

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6) [redacted]@hq.dhs.gov]
Sent: Monday, May 06, 2013 5:38 PM
To: CRCL_DHSOIGHotline
Cc: (b)(6) [redacted]
(b)(6) [redacted]
Subject: CRCL Complaint Number 13-06-ICE-0158

DHS OIG,

Summary of new complaint for your review:

On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of correspondence from (b)(6) [redacted], an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, (b)(6) [redacted] alleges that his Fourth Amendment rights were violated by ICE officers. (b)(6) [redacted] alleges that on January 30, 2013, ICE officers entered his home without a search warrant and proceeded to search his entire house, seize all of his identifications, and arrest him without a warrant. In addition, he alleges that he is

illegally being detained because he has a valid IR-2 status. (b)(6) states that he is making a Federal Tort Claims Act (FTCA) claim. Also, (b)(6) is claiming to be a U.S. citizen through his father.

[Note: According to EARM records, consent to enter the residence was given by (b)(6) wife. He was released under an Order of Recognizance on April 3, 2013.]

Thank you.

(b)(6)
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
202-(b)(6) (c)
(b)(6) @hq.dhs.gov

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**Homeland
Security**

May 13, 2014

(b)(6)

Bronx, NY 10468

Re: Complaint No. 13-06-ICE-0158, (b)(6)

Dear Ms (b)(6)

On March 15, 2013, the Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received the complaint you filed on behalf of your husband. This complaint alleged that U.S. Immigration and Customs Enforcement (ICE) officers violated Mr. (b)(6) civil rights and civil liberties during an enforcement operation at your home.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against DHS employees and officials concerning violations of civil rights and civil liberties. To conduct its investigation, CRCL has reviewed the documents you provided and reviewed information from ICE pertaining to its enforcement operations.

After reviewing the documents, CRCL believes that work conducted by this Office on other cases is relevant to this complaint. CRCL has made policy recommendations to ICE that would address the concerns raised in your complaint in relation to entry without consent. CRCL will continue to work with ICE on these recommendations, and as such, is closing this complaint.

We thank you for filing this complaint and understand the significance of this issue. Inquiries like his help DHS meet its obligation to protect civil rights and civil liberties. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

(b)(6)

Acting Deputy Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

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DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-13-0306 13-06-ICE-0158

(b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2013-04-18 11:59	Create	Entry Date	04/18/2013	8985	(b)(6)	User Change
DhsComplaint	2013-04-18 11:59	Create	Method of Receipt	Email	8985		User Change
DhsComplaint	2013-04-18 11:59	Create	Sender Type	Government Agency	8985		User Change
DhsComplaint	2013-04-18 11:59	Create	Date on Correspondence	02/25/2013	8985		User Change
DhsComplaint	2013-04-18 11:59	Create	Date to DHS	03/11/2013	8985		User Change
DhsComplaint	2013-04-18 11:59	Create	Date to CRCL	03/15/2013	8985		User Change
DhsComplaint	2013-04-18 11:59	Create	Days to Process	34	8985		User Change
DhsComplaint	2013-04-18 11:59	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	8985		User Change
DhsComplaint	2013-04-18 11:59	Create	Executive Summary	On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6)	8985	(b)(6)	User Change
DhsComplaint	2013-04-18 11:59	Create	Summary	(b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6)	8985		User Change
DhsComplaint	2013-04-18 11:59	Create	Component Referenced	ICE	8985	(b)(6)	User Change
				On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a			

DHS-004-0000771

DhsComplaint	2013-04-18 Update Summary 12:10	complaint from (b)(6) (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of correspondence from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of	8985	(b)(6)	User Change
DhsComplaint	2013-04-18 Update Executive Summary 12:10	(b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of correspondence from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of	8985	(b)(6)	User Change
DhsComplaint	2013-04-18 Update Summary 14:23	(b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL was referred, through email, by DHS OIG (C1306855) to a complaint from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of correspondence from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of	8985	(b)(6)	User Change
DhsComplaint	2013-04-18 Update Executive Summary 14:23	(b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of correspondence from (b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of	8985	(b)(6)	User Change
DhsComplaint	2013-05-03 Update Summary 09:28	(b)(6) (b)(6) an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr. (b)(6) On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of	8985	(b)(6)	User Change
DhsComplaint	2013-05-03 Update Days to Process 09:28	49 On March 15, 2013, CRCL received an informal email referral from DHS OIG (C1306855) of	8985	(b)(6)	User Change

				correspondence from (b)(6)		(b)(6)	
DhsComplaint	2013-05-03 09:28	Update	Executive Summary	454), an ICE detainee at Hudson County Jail in Kearney, New Jersey. In his letter, dated February 25, 2013, Mr.	8985		User Change
DhsComplaintAction	2014-05-13 17:01	Create	Action	Closed - Short Form/No Further Action	113858		User Change
DhsComplaintAction	2014-05-13 17:01	Create	Reporting Summary	On March 13, 2013, CRCL received an informal referral from DHS OIG containing a complaint. The complainant alleged that his Fourth Amendment rights were violated by ICE officers during an enforcement operation at his home. Specifically the complainant a	113858		User Change
DhsComplaintAction	2014-05-13 17:01	Create	Action Date	05/13/2014	113858		User Change
DhsComplaintAction	2014-05-13 17:01	Create	Internal Summary	On March 13, 2013, received an informal email referral from DHS OIG containing a complaint sent by Ms. (b)(6) on behalf of her husband (b)(6) a lawful permanent resident (LPR). At the time, Mr. (b)(6) was a detained by U.S.	113858		User Change
DhsComplaintAction	2013-05-10 15:27	Create	Action	Recommendation Review	110333		User Change
DhsComplaintAction	2013-05-10 15:27	Create	Action Date	05/10/2013	110333		User Change
DhsComplaintAction	2013-05-10 15:28	Create	Comments	short form	110334		User Change
DhsComplaintAction	2013-05-10 15:28	Create	Action	Back from Officer	110334		User Change
DhsComplaintAction	2013-05-10 15:28	Create	Action Date	05/10/2013	110334		User Change
DhsComplaintAction	2013-05-10 15:28	Create	Primary Assignment	(b)(6)	110334		User Change
DhsComplaintAction	2013-11-20 09:12	Create	Action Date	05/10/2013	111686		User Change
DhsComplaintAction	2013-11-20 09:12	Create	Action	Short Form	111686		User Change
				Per Jeff Blumberg and			

DhsComplaintAction	2013-05-06 17:35	Create	Comments	(b)(6) this is opened as a short-form complaint on 4/18/2013 being assigned to (b)(6) (b)(6) on 5/2/2013. Per OGC on 4/23/2013, ICE rejected the FTCA claim as it does not meet the requirements under FTCA. Therefore, CRC	110243	User Change
DhsComplaintAction	2013-05-06 17:35	Create	Action	Open a Complaint	110243	User Change
DhsComplaintAction	2013-05-06 17:35	Create	Action Date	05/06/2013	110243	User Change
DhsComplaintAction	2013-05-06 17:44	Create	Comments	Sent 5/6/2013.	110244	User Change
DhsComplaintAction	2013-05-06 17:44	Create	Action	Sent to IG	110244	User Change
DhsComplaintAction	2013-05-06 17:44	Create	Action Date	05/06/2013	110244	User Change
DhsComplaintAction	2013-05-07 13:54	Create	Action	IG Declines/Back from IG	110263	User Change
DhsComplaintAction	2013-05-07 13:54	Create	Document	13-06-ICE-0158 (OIG Response 05.07.2013).pdf	110263	User Change
DhsComplaintAction	2013-05-07 13:54	Create	Action Date	05/07/2013	110263	User Change
DhsComplaintAction	2013-05-07 13:54	Create	Comments	Per Jeff Blumberg and (b)(6) this is opened as a short-form complaint on 4/18/2013 being assigned to (b)(6) (b)(6) on 5/2/2013. Per OGC on 4/23/2013, ICE rejected the FTCA claim as it does not meet the requirements under FTCA. Therefore, CRC	110264	User Change
DhsComplaintAction	2013-05-07 13:54	Create	Action	Awaiting Recommendation	110264	User Change
DhsComplaintAction	2013-05-07 13:54	Create	Action Date	05/07/2013	110264	User Change
DhsComplaintDocument	2013-05-07 14:18	Create	Document Type	Acknowledgement Letter	90570	User Change
DhsComplaintDocument	2013-05-07 14:18	Create	Foreign Language	No	90570	User Change
DhsComplaintDocument	2013-05-07 14:18	Create	Document 1	03.15.2013 13-06-ICE-0158.pdf	90570	User Change
DhsComplaintDocument	2013-05-07	Create	Dateentered	05/07/2013	90570	User Change

	14:18					(b)(6)	
DhsComplaintDocument	2013-05-07 14:18	Create	Comments	Sent 5/7/2013.	90570		User Change
DhsComplaintDocument	2013-04-30 09:40	Create	Document Type	Miscellaneous Material/Other	90518		User Change
DhsComplaintDocument	2013-04-30 09:40	Create	Foreign Language	No	90518		User Change
DhsComplaintDocument	2013-04-30 09:40	Create	Document 1	04.17.2013 to 04.23.2013 (b)(6) OGC and CRCL Email Thread.pdf	90518		User Change
DhsComplaintDocument	2013-04-30 09:40	Create	Dateentered	04/30/2013	90518		User Change
DhsComplaintDocument	2013-04-30 09:40	Create	Document 2	04.23.2013 (b)(6) OGC - CRCL - ICE Email Thread.pdf	90518		User Change
DhsComplaintDocument	2013-04-30 09:40	Create	Comments	The first email thread includes CRCL's 4/17/2013 email notifying OGC of the possible FTCA claim submitted by the complainant and follow-up OGC and CRCL email; the second thread includes OGC's 4/23/2013 email to CRCL informing it of ICE's decision to reject	90518		User Change
DhsComplaintDocument	2013-04-18 11:59	Create	Document Type	Incoming Letter	90379		User Change
DhsComplaintDocument	2013-04-18 11:59	Create	Foreign Language	No	90379		User Change
DhsComplaintDocument	2013-04-18 11:59	Create	Dateentered	04/18/2013	90379		User Change
DhsComplaintDocument	2013-04-18 11:59	Create	Document 1	03.15.2013 (b)(6) (b)(6) pdf	90379		User Change
DhsComplaintDocument	2013-04-18 12:00	Create	Comments	Email Thread	90380		User Change
DhsComplaintDocument	2013-04-18 12:00	Create	Document Type	Miscellaneous Material/Other	90380		User Change
DhsComplaintDocument	2013-04-18 12:00	Create	Foreign Language	No	90380		User Change
DhsComplaintDocument	2013-04-18 12:00	Create	Dateentered	04/18/2013	90380		User Change
DhsComplaintDocument	2013-04-18 12:00	Create	Document 1	03.15.2013 (b)(6) (b)(6) Supplemental Email Thread.pdf	90380		User Change
DhsComplaintDocument	2013-04-18 12:02	Create	Comments	EARM records	90381		User Change

DhsComplaintDocument	2013-04-18 12:02	Create	Document Type	Miscellaneous Material/Other	90381	(b)(6)	User Change
DhsComplaintDocument	2013-04-18 12:02	Create	Foreign Language	No	90381	(b)(6)	User Change
DhsComplaintDocument	2013-04-18 12:02	Create	Dateentered	04/18/2013	90381	(b)(6)	User Change
DhsComplaintDocument	2013-04-18 12:02	Create	Document 3	(b)(6) EARM Detention.pdf	90381	(b)(6)	User Change
DhsComplaintDocument	2013-04-18 12:02	Create	Document 1	(b)(6) EARM Address Information.pdf	90381	(b)(6)	User Change
DhsComplaintDocument	2013-04-18 12:02	Create	Document 4	(b)(6) EARM Encounter Record.pdf	90381	(b)(6)	User Change
DhsComplaintDocument	2013-04-18 12:02	Create	Document 2	(b)(6) EARM Detention.pdf	90381	(b)(6)	User Change
DhsComplaintDocument	2014-01-29 15:51	Create	Document Type	Miscellaneous Material/Other	93135	(b)(6)	User Change
DhsComplaintDocument	2014-01-29 15:51	Create	Dateentered	01/29/2014	93135	(b)(6)	User Change
DhsComplaintDocument	2014-01-29 15:51	Create	Document 1	Blank doc to be used in order to close items in the system.docx	93135	(b)(6)	User Change
DhsComplaintDocument	2014-01-29 15:51	Create	Foreign Language	No	93135	(b)(6)	User Change
DhsComplaintDocument	2014-01-29 15:54	Delete			93135	(b)(6)	User Change
DhsComplaintDocument	2014-05-13 16:55	Create	Dateentered	05/13/2014	94649	(b)(6)	User Change
DhsComplaintDocument	2014-05-13 16:55	Create	Document Type	Closed Letter	94649	(b)(6)	User Change
DhsComplaintDocument	2014-05-13 16:55	Create	Foreign Language	No	94649	(b)(6)	User Change
DhsComplaintDocument	2014-05-13 16:55	Create	Document 1	Close Letter - Complaint No 13-06-ICE-0158.pdf	94649	(b)(6)	User Change
DhsComplaintDocument	2014-05-13 16:56	Create	Dateentered	05/13/2014	94650	(b)(6)	User Change
DhsComplaintDocument	2014-05-13 16:56	Create	Document Type	Final Report	94650	(b)(6)	User Change
DhsComplaintDocument	2014-05-13 16:56	Create	Foreign Language	No	94650	(b)(6)	User Change
DhsComplaintDocument	2014-05-13 16:56	Create	Document 1	Close Memo Complaint No 13-06-ICE-0158.pdf	94650	(b)(6)	User Change

DhsComplaintIssue	2013-04-18 12:07	Create	State	New York - NY	14302	(b)(6)	User Change
DhsComplaintIssue	2013-04-18 12:07	Create	Ongoing	No	14302		User Change
DhsComplaintIssue	2013-04-18 12:07	Create	Situation	ICE Secure Communities Program	14302		User Change
DhsComplaintIssue	2013-04-18 12:07	Create	Primary Issue	Yes	14302		User Change
DhsComplaintIssue	2013-04-18 12:07	Create	City	Bronx	14302		User Change
DhsComplaintIssue	2013-04-18 12:07	Create	Redirect to Subject	No	14302		User Change
DhsComplaintIssue	2013-04-18 12:07	Create	Incident Location Type	Residence	14302		User Change
DhsComplaintIssue	2013-04-18 12:07	Create	Incident Location	(b)(6)	14302		User Change
DhsComplaintIssue	2013-04-18 12:07	Create	(b)(5)	(b)(5)	14302		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:02	Create	Last Name	DHS OIG	24042		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:02	Create	Organization	DHS - HQ	24042		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:02	Create	Contact Type	Source	24042		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:04	Create	Last Name	(b)(6)	24043		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:04	Create	City	Kearney	24043		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:04	Create	Address Line 1	Hudson County Jail	24043		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:04	Create	State	New Jersey - NJ	24043		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:04	Create	Alien Registration	(b)(6)	24043		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:04	Create	Contact Type	Sender	24043		User Change
DhsComplaintPartiesInvolved	2013-04-18 12:04	Create	First Name	(b)(6)	24043		User Change
				(b)(5)			
	2014-						

DHS-004-0000777

DhsComplaintPartiesInvolved	01-29 15:40	Create	Comments	(b)(5)	24989	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014- 01-29 15:40	Create	Last Name	(b)(6)	24989		User Change
DhsComplaintPartiesInvolved	2014- 01-29 15:40	Create	Contact Type	On Behalf Of	24989		User Change
DhsComplaintPartiesInvolved	2014- 01-29 15:40	Create	First Name	(b)(6)	24989		User Change
DhsComplaintPartiesInvolved	2013- 05-03 09:30	Update	State		24043		User Change
DhsComplaintPartiesInvolved	2013- 05-03 09:30	Update	Address Line 1		24043		User Change
DhsComplaintPartiesInvolved	2013- 05-03 09:30	Update	Comments	According to EARM, Mr. (b)(6) who was an ICE detainee at Hudson County Jail at the time he wrote to DHS OIG, was released under an Order of Recognizance on 4/03/2013. EARM lists his home address added to EARM on 01/30/2013 as: (b)(6)	24043		User Change
DhsComplaintPartiesInvolved	2013- 05-03 09:30	Update	City		24043		User Change



**Homeland
Security**

May 8, 2013

(b)(6)

Auburn, WA 98092

Ref.: Reclamo N.º 13-07-ICE-0152;

Estimado(a) (b)(6)

La Oficina de Derechos Civiles y Libertades Civiles (CRCL) del Departamento de Seguridad Nacional ha recibido su reclamo el April 16, 2013 . Gracias por comunicarse con nosotros para referirnos sus inquietudes. La oficina CRCL revisa y evalúa la información concerniente a los abusos de los derechos y libertades civiles, y la discriminación por perfil racial, étnico o religioso por parte de empleados o agentes del Departamento de Seguridad Nacional.

Damos suma importancia a los asuntos que usted menciona y deseamos informarle cómo nuestra oficina gestionará su reclamo. Inicialmente, enviaremos su reclamo a la Oficina DHS del Inspector General para su evaluación. Si el Inspector General se niega a aceptar el reclamo, el mismo será enviado a la oficina CRCL para proporcionar una respuesta adecuada. Una vez que la oficina CRCL inicia un reclamo formal, nosotros o la oficina del DHS correspondiente conducirá una investigación sobre los asuntos que usted menciona. La oficina CRCL se comunicará con usted para informarle el curso anticipado de la investigación de su reclamo, y le notificará los resultados eventualmente.

Por favor, tenga en cuenta que nuestro proceso de reclamos no proporciona a los individuos derechos o recursos legales o procesales. En consecuencia, la oficina CRCL no puede obtener recursos legales o reparación por daños y perjuicios en su nombre. En su lugar, utilizamos los reclamos como el suyo para identificar y abordar problemas en las políticas del DHS y su implementación. Si considera que han violado sus derechos, le sugerimos consultar con un abogado. Podría haber limitaciones de tiempo que rigen con qué rapidez debe actuar para proteger sus intereses.

Si aún no lo ha hecho, por favor proporcione a la oficina del CRCL su información completa de contacto, incluido el número de teléfono, correo electrónico y dirección postal, si está disponible. Puede comunicarse con la oficina CRCL por correo electrónico a la dirección CRCLCompliance@hq.dhs.gov, por fax al 202-401-4708, o por correo postal a la siguiente dirección:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

Para obtener información adicional sobre las funciones y responsabilidades de la oficina CRCL, visite nuestro sitio web en la dirección <http://www.dhs.gov/crcl>.

Si está presentando un reclamo en representación de otra persona, por favor proporcione a la oficina CRCL un consentimiento expreso por escrito de la persona si desea recibir información sobre la resolución de este reclamo. Cuando se comunique con la oficina CRCL sobre este asunto, por favor incluya el número de reclamo que aparece al comienzo de esta carta. Nuevamente, le damos las gracias por comunicarse con la Oficina de Derechos Civiles y Libertades Civiles. Las comunicaciones como la suya son esenciales para que podamos cumplir con nuestra función de respaldar la misión del Departamento de proteger a la nación preservando, al mismo tiempo, las libertades individuales, la justicia y la igualdad ante la ley. Esperamos poder colaborar junto a usted para abordar sus inquietudes. Si tiene preguntas, comuníquese con la oficina CRCL por escrito o por teléfono al 866-644-8360 o al 866-644-8361 (línea TTY para personas con problemas de audición o del habla).

Atentamente,



Jeffrey S. Blumberg
Director, Departamento de Cumplimiento
Oficina de Derechos Civiles y Libertades Civiles
Departamento de Seguridad Nacional de EE.UU.

Declaración de la Ley de Privacidad

Autoridad: El Código de Estados Unidos, Título 6, Artículo 345, y Título 42, Artículo 2000ee-1, autoriza la recopilación de esta información.

Propósito: El Departamento de Seguridad Nacional (Department of Homeland Security; DHS) utilizará esta información para evaluar e investigar reclamos e información del público sobre posibles violaciones de derechos o libertades civiles relacionadas a empleados, programas o actividades del DHS.

Usos de rutina: Esta información puede ser divulgada y utilizada por personal y contratistas dentro del DHS que necesiten obtener acceso a ella con el fin de evaluar su reclamo. Asimismo, la Oficina de Derechos Civiles y Libertades Civiles del DHS (CRCL) podría compartir su información, según fuera necesario, con ciertas agencias gubernamentales pertinentes fuera del ámbito del DHS, o con entidades no gubernamentales, con el fin de abordar su reclamo, o de conformidad con lo publicado en el Sistema de Registros de los Archivos del Departamento de Seguridad Nacional/ALL-029 Oficina de Derechos Civiles y Libertades Civiles.

Divulgación: Proporcionar esta información a la Oficina CRCL es de carácter voluntario; sin embargo, no proporcionar la información solicitada podría demorar o impedir a CRCL evaluar e investigar su reclamo de manera adecuada. Si fuera necesario, CRCL también podría solicitarle información adicional con el fin de determinar la manera adecuada de dar curso a sus inquietudes.

Para obtener más información sobre la Ley de Privacidad, consulte el sitio web www.dhs.gov/privacy.



Department of Homeland Security (DHS)
Office for Civil Rights and Civil Liberties

Civil Rights Complaint

Fillable Version (last modified 3/15/2011)

The purpose of this form is to assist you in filing a civil rights/civil liberties complaint with the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) regarding DHS programs and activities. This form is not intended to be used for complaints about employment with DHS. You are not required to use this form to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested in the form.

CRCL Mission:

The DHS Office for Civil Rights and Civil Liberties (CRCL) supports the Department as it secures the nation while preserving individual liberty, fairness, and equality under the law. We investigate claims of civil rights and civil liberties abuses, to help DHS improve protections and programs.

Do you have a DHS civil rights or civil liberties complaint? If you believe that DHS personnel or a DHS program or activity has violated your rights, we want to hear from you. Fill out this form, or write us an email or letter.

In connection with a DHS program, activity, or policy, have you experienced:

- Discrimination based on your race, ethnicity, national origin (including language proficiency), religion, gender, or disability? (Note: do not use this form to make a complaint about employment discrimination; see www.dhs.gov/eeo.)
- Denial of meaningful access to DHS or DHS-supported programs, activities, or services due to limited English proficiency?
- Violation of your rights while in immigration detention or as a subject of immigration enforcement?
- Discrimination or inappropriate questioning related to entry into the United States?
- Violation of your right to due process, such as your right to timely notice of charges or access to your lawyer?
- Violation of the Violence Against Women Act's confidentiality requirements?
- Physical abuse or any other type of abuse inflicted upon you?
- Any other civil rights or civil liberties violation related to a DHS program or activity?

Notes on Confidentiality and Anonymity:

- A)** You may remain anonymous by not filling in your name, below. However, CRCL may not be able to investigate your complaint unless you provide enough information to conduct an investigation.
- B)** Disclosure of the information you provide, including your identity, is on a "need-to-know" basis, and is discussed in the Privacy Statement at the end of this document. **IF YOU CHECK THE BOX BELOW, WE WILL NOT DISCLOSE YOUR IDENTITY TO OTHER OFFICES, IN OR OUT OF DHS (unless it is necessary for investigation of criminal misconduct). Note, however, that this will in many situations make it very difficult or impossible, practically speaking, for us to investigate the allegations you raise.**
- ☐ I do NOT want CRCL to disclose my name to other offices, and understand this decision will often make it impossible for an investigation to take place.
- C)** Reprisal against complainants to CRCL is unlawful; if you feel you have been a victim of reprisal, CALL US. 1-866-644-8360.

Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① Information about the person who experienced the civil rights/civil liberties violation

(fill in what you can)

Name: (b)(6)
First and Middle Last

Phone #: Cell: 206. (b)(6) Home: _____ Work: _____

Please note that we may contact you at the provided numbers.

Mailing Address: (b)(6)
PO Box or Street address City State Zip

Date of Birth: (b)(6) Email (optional): (b)(6) @hotmail.com

Alien Registration #. (if you have one and it's available): A# (b)(6)

☐ Check here if you are in detention now.

Which facility? No

Facility name

Facility address

☐ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information No

② Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.

Name: No
First Last Job title

Organization (if any): _____

Phone #: Cell: _____ Home: _____ Work: _____

Mailing Address: _____
PO Box or Street address City State Zip

③ What happened? Describe your complaint. Give as much detail about your experience as possible.

I was about to leave home for work and there was a car with license plate (b)(6),(b)(7)(C) and a gray Durango truck. They drove into my driveway and the passenger got off the car and took out a gun and threatened me. He told me, "Are you (b)(6)?" I replied I was. Both the driver and the passenger told me they were from IMMIGRATION. They ordered me to get to the ground and to put my hands behind my back. I obeyed them. Then they handcuffed me, tightening the handcuffs very hard as if I were a criminal. They brought me to my feet and I asked them what the problem was, and they told me I had felonies in CALIFORNIA and that I had been in JAIL, and they also told me that I should be in MEXICO because I had been deported. But what I didn't like is that they pulled my shirt's neck because I was telling them that my green card was in my house. He didn't believe me and continued to yell at me and to pull my shirt's neck. At that moment, my 16 year-old daughter (b)(6) heard the yelling outside the house and she got frightened because she saw they were unfairly treating me like a criminal. My two other children were also looking out the window and seeing what was happening. All my children were crying when they saw how their father was being unfairly treated. My daughter (b)(6) told my wife (b)(6) what she was seeing from the window, how her father was being treated and how they were pulling my shirt's neck and screaming in my face without letting me talk. So my wife came out and asked the immigration agents what was going on. They asked her to bring (b)(6) green card and she said yes, because they didn't believe that I was a legal alien, and they told my wife to shut up and to stay away from me. Then they put me in the car telling me they were going to take me to jail if my wife didn't show up in 5 minutes with the green card. When he saw the green card, the one who had been pulling my shirt's neck called immigration to check if the green card was real.

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

When he verified that everything was in order, and that the green card was not fake and that I wasn't the person they were looking for, they told my wife SORRY. I'd like to know why they didn't bring a photo so they could be sure that I was the person they were looking for. The one with the problem is my cousin. He stole my identity to work in CALIFORNIA, but he's never worked in WASHINGTON. If they were so sure it was me, how come they didn't check for fingerprints. Besides, he's been in jail, he has tattoos, they have his picture and fingerprints. Why do they have to invade my privacy, scare my wife, make my children cry? They made me feel like a criminal and scum, that's why I'm filing my complaint and I'm looking for a LAWYER. We have the right to equal treatment, and we consider this racism. You should teach your agents how to treat people. The driver of the car was just observing what was going on without saying anything, and he's an accomplice, even though he did not mistreat me, but he witnessed everything. That's why I'll file a lawsuit, because many innocent people remain silent, but I won't. I'll take my case to its fullest extent. And I hope that agent receives more instruction on how to treat people. - 02/26/13 at 7:15 AM

Where did this happen?

Place *(for example, name the detention facility, airport, other)*:

(b)(6)

City: Auburn

State or Country: WA

④ Who treated you unfairly?

An employee, contractor, or officer of *(check as many as apply)*:

- | | |
|--|---|
| ☒ Citizenship and Immigration Services (USCIS) | |
| ☐ Customs and Border Protection (CBP)* | ☐ Not sure which DHS office |
| ☐ Customs Officer | ☐ Non-DHS employee working under the authority |
| ☐ Border Patrol Agent | of DHS (e.g., 287g officer) |
| ☐ Federal Emergency Management Agency (FEMA) | specify: _____ |
| ☐ Immigration and Customs Enforcement (ICE) | |
| ☐ Secret Service (USSS) | |
| ☐ Transportation Security Administration (TSA)* | |
| ☐ U.S. Coast Guard (USCG) | |
| ☐ Other DHS program <i>(specify)</i> : | |

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): (b)(6)

Mailing Address: (b)(6) Auburn WA 98092

Phone No.: (b)(6) Email: _____

Names (or other information, e.g., agency): _____

Mailing Address: _____

Phone No.: _____ Email: _____

Continue on an additional page, if needed.

- ⑥ **Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?**

☐ **Yes:** Agency/Office/Court _____ Date: _____

☒ **No**

If so, has anyone responded to your complaint?

☐ **Yes** ☐ **No**

If Yes, describe what has been done to respond to your complaint:

Continue on an additional page, if needed.

- ⑦ **Is there any other information you want us to know about or consider?**

Continue on an additional page, if needed.

- ⑧ **If you are not proficient in English, please indicate the language in which you prefer we communicate with you.**
-

- ⑨ **If you have problems understanding this form or any other question, contact CRCL:**

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ **To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.**

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov.

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

Continue on this page, if needed.

Continue on this page, if needed.

(b)(6)

From: CRCL_DHSOIGHotline
Sent: Wednesday, May 08, 2013 10:23 AM
To: (b)(6) CRCL_DHSOIGHotline
Cc: (b)(6)
Subject: RE: CRCL Complaint Number 13-07-ICE-0152
Follow Up Flag: Follow up
Flag Status: Flagged

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6) [redacted]@hq.dhs.gov]
Sent: Monday, May 06, 2013 3:48 PM
To: CRCL_DHSOIGHotline
Cc: (b)(6) [redacted]
(b)(6) [redacted]
Subject: CRCL Complaint Number 13-07-ICE-0152

DHS OIG,

Summary of new complaint for your review:

On April 16, 2013, CRCL received standard mail correspondence from (b)(6) [redacted], a legal permanent resident (LPR) who lives in Auburn, Washington. Mr. (b)(6) [redacted] alleges that on February 26, 2013, at 7:15 a.m., two "immigration agents" arrived at his house in a gray Durango truck (license plate (b)(6),(b)(7)(C) [redacted]) and deprived him of his rights. He reports that they placed him under arrest, charging him with committing felonies in California and illegally residing within the United States. He

says they also told him "he should be in Mexico" because he had previously been deported and served jail time.

Mr. (b)(6) claims that the immigration agent who drove the truck "just observed", but the passenger agent threatened him with a gun and handcuffed him. Mr. (b)(6) claims that when he told the immigration agent he was in possession of a green card, the agent "pulled on his shirt's neck." He states that his wife, (b)(6) offered to show the agent his green card which was inside their home. He alleges the immigration agent told his wife to "shut up", placed him in their car, and threatened to take him to jail if she did not have the card in five minutes. According to Mr. (b)(6) after his wife retrieved the green card from inside their home and the immigration agents verified it was valid, the agents released him. Mr. (b)(6) reports that the agents then apologized to his wife.

Mr. (b)(6) also reports that his cousin (unnamed in the correspondence to CRCL) stole his identity "to work in California." According to Mr. (b)(6) the person the immigration agents were seeking that day was in fact his cousin. Mr. (b)(6) alleges that the actions of the immigration agents violated his rights, and he states that he intends to file a lawsuit.

[Note: (b)(6) correspondence was written in Spanish and professionally translated into English by a language services company for CRCL. EARM has no records of Mr. (b)(6) (b)(5) (b)(5) On the complaint form submitted by Mr. (b)(6) however, USCIS was selected as the component involved.]

Thank you.

(b)(6)
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
202 (b)(6) (c)
(b)(6) @hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email.



**Homeland
Security**

May 13, 2014

(b)(6)

Auburn, WA 98092

Re: Complaint No. 13-07-ICE-0152, (b)(6)

Dear Mr. (b)(6)

This letter is in response to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from you on April 16, 2013. Your complaint alleged that on February 26, 2013, two U.S. Immigration and Customs Enforcement (ICE) agents came to your home and, in the mistaken belief that you were your cousin, arrested you using excessive force. After you produced evidence of lawful permanent residence, the agents released you.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against DHS employees and officials concerning violations of civil rights and civil liberties. Accordingly, CRCL has conducted an investigation into your allegations. During the course of our investigation, CRCL learned that the ICE Office of Professional Responsibility (OPR) was also conducting an investigation into the allegations you raised. In order to complete our investigation, CRCL spoke with ICE officials, gathered information, and reviewed the investigative material provided by OPR.

Based on all the materials we reviewed, CRCL learned that the agent is no longer working for DHS. As a result, CRCL has now closed its investigation.

This concludes our review of this complaint. If you have any additional information or allegations, do not hesitate to provide the information. We appreciate you bringing these matters to our attention; inquiries like this help the Department of Homeland Security meet its obligations to protect civil rights and civil liberties.

Sincerely,

(b)(6)

Acting Deputy Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Protected by Attorney-Client and Deliberative Process Privileges



To:

(b)(6)

From:

Date:

May 13, 2014

Complaint Number:

13-07-ICE-0152

Complainant Name(A#):

(b)(6)

Finding(s) for Closure without Recommendations - (check all that apply):

(b)(5)

Reason for Closing:

On April 16, 2013, CRCL received standard mail correspondence from (b)(6) (b)(6), a lawful permanent resident living in Auburn, Washington. He alleged that on February 26, 2013, at approximately 7:15 am, two ICE agents arrived at his home in a gray Durango truck. The driver stayed in the vehicle while the passenger got out of the car, pulled out and pointed his gun at Mr. (b)(6) and asked if he was (b)(6) Mr. (b)(6) stated that he was, and both agents ordered him to the ground. While handcuffing him, Mr. (b)(6) asked why he was being arrested. The agents allegedly informed him that he had committed felonies in California and had previously been deported to Mexico.

Mr. (b)(6) told the agents that they were wrong and that he was a lawful permanent resident. His wife and children came out of the house and questioned the agents. The agents asked his wife to bring evidence of this immigration status from the house while Mr. (b)(6) was placed in their vehicle. Ms. (b)(6) brought the documentation and the agents established that Mr. (b)(6) was not the (b)(6) who was their target. The individual they were attempting to apprehend was Mr. (b)(6) cousin. While the agents apologized, Mr. (b)(6) felt that his rights were violated by the agent's excessive force and use of his firearm.

(b)(5),(b)(6),(b)(7)(C)

(b)(5),(b)(6),(b)(7)(C)

Special Circumstances

Recommend Office of General Counsel (OGC) Review (Y/N)

If Yes- provide a brief explanation

Suggested Closure Method(s) (check all that apply):

(b)(5)

Supporting Documents Attached:

For Completion by Reviewer:

Closure Recommendation Accepted X

Not Accepted ☐

(b)(6)

From: ERO CRCL
To: (b)(6) ERO CRCL
Subject: RE: CRCL Complaint No. 13-07-ICE-0152 – Short Form Complaint
Date: Friday, June 07, 2013 1:38:04 PM

Good afternoon,

I received the following response from ERO Seattle:

Seattle ERO has no vehicles as described and none of our units were involved.

ERO states that they had no officers involved in this alleged incident. If you need any more information, please let me know-

(b)(6),(b)(7)(C)

Staff Officer/ Information Disclosure Section
Executive Information and Reporting Unit
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202 (b)(6),(b)(7)(C) 202 (b)(6),(b)(7)(BB)

(b)(6),(b)(7)
(C) @ice.dhs.gov
(C) @ice.dhs.gov

From: (b)(6)@hq.dhs.gov]
Sent: Wednesday, June 05, 2013 4:39 PM
To: ERO CRCL
Subject: FW: CRCL Complaint No. 13-07-ICE-0152 – Short Form Complaint

From: (b)(6)
Sent: Wednesday, June 05, 2013 4:05 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6)
Subject: CRCL Complaint No. 13-07-ICE-0152 – Short Form Complaint

Good afternoon, everyone:

The Office for Civil Rights and Civil Liberties (CRCL) received the attached complaint regarding (b)(6) (b)(6) a legal permanent resident who lives in Auburn, Washington. Mr. (b)(6) alleges that two ICE agents came to his home and, in the mistaken belief that Mr. (b)(6) was his cousin, allegedly arrested him using extreme force. After production of his green card, the ICE agents allegedly released him.

Mr. (b)(6) alleges this incident took place on February 26, 2013 at 7:15 a.m. at (b)(6) (b)(6) Auburn, Washington 98092. Mr. (b)(6) alleges that the agents drove a gray Durango truck and a car with the license plate (b)(6),(b)(7)(C) (C)

(b)(5)

I would appreciate receiving the documents and information by COB Friday, June 21, 2013. Please advise if any documents or information do not exist or are not available.

Thank you for your assistance with this request and please let me know if you have any questions.

(b)(6)

DHS CRCL

202-357-(b)(6)

(b)(6) @hq.dhs.gov

From: (b)(6),(b)(7)(C)
To: (b)(6)
Subject: RE: CRCL Complaint No. 13-07-ICE-0152 – Short Form Complaint
Date: Thursday, June 13, 2013 11:12:47 AM

(b)(6)

I do not know if (b)(6) ever passed this information to you or not, but I could not find a case on this incident. (b)(6) told me that this complaint came into your office on April 16, 2013, and that OIG declined this case on May 8, 2013. I could not find anything in our system from the IG that they received an allegation on this incident.

Regards,

(b)(6),(b)(7)(C)

Regional Operations Manager
ICE Office of Professional Responsibility
HQ, Washington, DC
(o) 202- (b)(6),(b)(7)(C)

Duplicate

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-13-0324 13-07-ICE-0152

(b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2013-04-30 14:15	Create	Entry Date	04/30/2013	9003	(b)(6)	User Change
DhsComplaint	2013-04-30 14:15	Create	Method of Receipt	Standard Mail	9003		User Change
DhsComplaint	2013-04-30 14:15	Create	Sender Type	Individual	9003		User Change
DhsComplaint	2013-04-30 14:15	Create	Date on Correspondence	04/09/2013	9003		User Change
DhsComplaint	2013-04-30 14:15	Create	Date to DHS	04/16/2013	9003		User Change
DhsComplaint	2013-04-30 14:15	Create	Date to CRCL	04/16/2013	9003		User Change
DhsComplaint	2013-04-30 14:15	Create	Days to Process	14	9003		User Change
DhsComplaint	2013-04-30 14:15	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	9003		User Change
DhsComplaint	2013-04-30 14:15	Create	Summary	TBE	9003		User Change
DhsComplaint	2013-04-30 14:15	Create	Component Referenced	ICE	9003		User Change
DhsComplaint	2013-05-02 11:11	Update	Summary	On April 16, 2013, CRCL received standard mail correspondence from (b)(6) legal permanent resident (LPR) who lives in Auburn, Washington. Mr. (b)(6) alleges that on February 26, 2013, at 7:15 a.m., two "immigration ag	9003	(b)(6)	User Change
DhsComplaint	2013-05-02 11:11	Update	Days to Process	16	9003		User Change
				On April 16, 2013, CRCL received standard mail correspondence (b)(6)			

DHS-004-0000797

DhsComplaint	2013-05-02 11:11	Update	Executive Summary	(b)(6) a legal permanent resident (LPR) who lives in Auburn, Washington. Mr. (b)(6) alleges that on February 26, 2013, at 7:15 a.m., two "immigration ag On April 16, 2013, CRCL received standard mail correspondence (b)(6)	9003	User Change
DhsComplaint	2013-05-03 15:43	Update	Summary	legal permanent resident (LPR) who lives in Auburn, Washington. Mr. (b)(6) alleges that on February 26, 2013, at 7:15 a.m., two "immigration ag	9003	User Change
DhsComplaint	2013-05-03 15:43	Update	Days to Process	17 On April 16, 2013, CRCL received standard mail correspondence (b)(6)	9003	User Change
DhsComplaint	2013-05-03 15:43	Update	Executive Summary	legal permanent resident (LPR) who lives in Auburn, Washington. Mr. (b)(6) alleges that on February 26, 2013, at 7:15 a.m., two "immigration ag Per Jeff Blumberg, this is opened as a short-form complaint on 5/2/2013 being assigned to (b)(6) (b)(6) on 5/2/2013.	9003	User Change
DhsComplaintAction	2013-05-06 15:40	Create	Comments	Open a Complaint	110230	User Change
DhsComplaintAction	2013-05-06 15:40	Create	Action	Open a Complaint	110230	User Change
DhsComplaintAction	2013-05-06 15:40	Create	Action Date	05/06/2013	110230	User Change
DhsComplaintAction	2013-05-06 15:51	Create	Comments	Sent 5/6/2013.	110231	User Change
DhsComplaintAction	2013-05-06 15:51	Create	Action	Sent to IG	110231	User Change
DhsComplaintAction	2013-05-06 15:51	Create	Action Date	05/06/2013	110231	User Change

DhsComplaintAction	2013-05-08 16:15	Create	Action	IG Declines/Back from IG	110280	(b)(6)	User Change
DhsComplaintAction	2013-05-08 16:15	Create	Document	13-07-ICE-0152 (OIG Response 05.08.2013).pdf	110280	(b)(6)	User Change
DhsComplaintAction	2013-05-08 16:15	Create	Action Date	05/08/2013	110280	(b)(6)	User Change
DhsComplaintAction	2013-05-08 16:15	Create	Comments	Per Jeff Blumberg, this is opened as a short-form complaint on 5/2/2013 being assigned to (b)(6) on 5/2/2013.	110281	(b)(6)	User Change
DhsComplaintAction	2013-05-08 16:15	Create	Action	Awaiting Recommendation	110281	(b)(6)	User Change
DhsComplaintAction	2013-05-08 16:15	Create	Action Date	05/08/2013	110281	(b)(6)	User Change
DhsComplaintAction	2013-05-10 15:33	Create	Action	Recommendation Review	110343	(b)(6)	User Change
DhsComplaintAction	2013-05-10 15:33	Create	Action Date	05/10/2013	110343	(b)(6)	User Change
DhsComplaintAction	2013-05-10 15:33	Create	Comments	short form	110344	(b)(6)	User Change
DhsComplaintAction	2013-05-10 15:33	Create	Action	Back from Officer	110344	(b)(6)	User Change
DhsComplaintAction	2013-05-10 15:33	Create	Action Date	05/10/2013	110344	(b)(6)	User Change
DhsComplaintAction	2013-05-10 15:33	Create	Primary Assignment	(b)(6)	110344	(b)(6)	User Change
DhsComplaintAction	2013-11-20 09:14	Create	Action Date	06/03/2013	111687	(b)(6)	User Change
DhsComplaintAction	2013-11-20 09:14	Create	Action	Short Form	111687	(b)(6)	User Change
DhsComplaintAction	2014-05-13 16:52	Create	Action	Closed - Short Form/No Further Action	113857	(b)(6)	User Change
DhsComplaintAction	2014-05-13 16:52	Create	Reporting Summary	On August 16, 2013, CRCL recieved a complaint from an individual who alleged that one of two ICE agents used excessive force during an attempted enforcement action at the complainant's home. CRCL opened the matter as a short form and learned	113857	(b)(6)	User Change

				that ICE OPR		(b)(6)	
DhsComplaintAction	2014-05-13 16:52	Create	Action Date	05/13/2014	113857		User Change
				On April 16, 2013, CRCL received standard mail correspondence			
				(b)(6)			
DhsComplaintAction	2014-05-13 16:52	Create	Internal Summary	lawful permanent resident living in Auburn, Washington. He alleged that on February 26, 2013, at approximately 7:15 am, two ICE agents arrived a	113857		User Change
DhsComplaintDocument	2014-02-07 14:06	Create	Document Type	Investigative Material	93304		User Change
DhsComplaintDocument	2014-02-07 14:06	Create	Dateentered	02/07/2014	93304		User Change
DhsComplaintDocument	2014-02-07 14:06	Create	Document 1	2014 (b)(6),(b)(7) Proposal.pdf	93304		User Change
DhsComplaintDocument	2014-02-07 14:06	Create	Foreign Language	No	93304		User Change
DhsComplaintDocument	2014-05-13 16:46	Create	Document 3	2014 (b)(6),(b)(7) Proposal.pdf	94647		User Change
DhsComplaintDocument	2014-05-13 16:46	Create	Document 2	2013_07_15 SE - CRCL - (b)(6) Complaint.pdf	94647		User Change
DhsComplaintDocument	2014-05-13 16:46	Create	Dateentered	05/13/2014	94647		User Change
DhsComplaintDocument	2014-05-13 16:46	Create	Document Type	Investigative Material	94647		User Change
DhsComplaintDocument	2014-05-13 16:46	Create	Foreign Language	No	94647		User Change
DhsComplaintDocument	2014-05-13 16:46	Create	Document 1	04 16 2013 (b)(6) English Translation1.pdf	94647		User Change
DhsComplaintDocument	2014-05-13 16:47	Create	Document 2	Close Memo - Complaint No 13-07- ICE-0152.pdf	94648		User Change
DhsComplaintDocument	2014-05-13 16:47	Create	Dateentered	05/13/2014	94648		User Change
DhsComplaintDocument	2014-05-13 16:47	Create	Document Type	Closed Letter	94648		User Change
DhsComplaintDocument	2014-05-13 16:47	Create	Foreign Language	No	94648		User Change

DhsComplaintDocument	2014-05-13 16:47	Create	Document 1	Close Letter Complaint No 13-07- ICE-0152.pdf	94648	(b)(6)	User Change
DhsComplaintDocument	2013-07-30 09:38	Create	Document Type	Miscellaneous Material/Other	91553		User Change
DhsComplaintDocument	2013-07-30 09:38	Create	Comments	Correspondence with OPR Seattle	91553		User Change
DhsComplaintDocument	2013-07-30 09:38	Create	Dateentered	07/30/2013	91553		User Change
DhsComplaintDocument	2013-07-30 09:38	Create	Document 1	correspondence with opr seattle.pdf	91553		User Change
DhsComplaintDocument	2013-07-30 09:38	Create	Foreign Language	No	91553		User Change
DhsComplaintDocument	2013-07-30 09:52	Create	Document Type	Short Form Doc	91555		User Change
DhsComplaintDocument	2013-07-30 09:52	Create	Comments	Short Form Info Request	91555		User Change
DhsComplaintDocument	2013-07-30 09:52	Create	Dateentered	07/30/2013	91555		User Change
DhsComplaintDocument	2013-07-30 09:52	Create	Document 1	short form request.pdf	91555		User Change
DhsComplaintDocument	2013-07-30 09:52	Create	Foreign Language	No	91555		User Change
DhsComplaintDocument	2013-07-30 09:57	Create	Document Type	Investigative Material	91558		User Change
DhsComplaintDocument	2013-07-30 09:57	Create	Comments	OPR and ERO emails	91558		User Change
DhsComplaintDocument	2013-07-30 09:57	Create	Document 2	response from ERO seattle.pdf	91558		User Change
DhsComplaintDocument	2013-07-30 09:57	Create	Dateentered	07/30/2013	91558		User Change
DhsComplaintDocument	2013-07-30 09:57	Create	Document 1	response from opr.pdf	91558		User Change
DhsComplaintDocument	2013-07-30 09:57	Create	Foreign Language	No	91558		User Change
DhsComplaintDocument	2013-05-08 15:21	Create	Document Type	Acknowledgement Letter	90592		User Change
DhsComplaintDocument	2013-05-08 15:21	Create	Foreign Language	No	90592		User Change
DhsComplaintDocument	2013-05-08 15:21	Create	Document 1	04.16.2013 13-07- ICE-0152.pdf	90592		User Change

DhsComplaintDocument	2013-05-08 15:21	Create	Dateentered	05/08/2013	90592	(b)(6)	User Change
DhsComplaintDocument	2013-05-08 15:21	Create	Comments	Sent 5/8/2013.	90592		User Change
DhsComplaintDocument	2013-04-30 14:19	Create	Document Type	Incoming Letter	90524		User Change
DhsComplaintDocument	2013-04-30 14:19	Create	Foreign Language	Yes	90524		User Change
DhsComplaintDocument	2013-04-30 14:19	Create	Document 1	04.16.2013 (b)(6) (Spanish Language).pdf	90524		User Change
DhsComplaintDocument	2013-04-30 14:19	Create	Dateentered	04/30/2013	90524		User Change
DhsComplaintDocument	2013-04-30 14:19	Create	Language	Spanish	90524		User Change
DhsComplaintDocument	2013-04-30 14:20	Create	Document Type	Incoming Letter	90525		User Change
DhsComplaintDocument	2013-04-30 14:20	Create	Foreign Language	No	90525		User Change
DhsComplaintDocument	2013-04-30 14:20	Create	Document 1	04.16.2013 (b)(6) English Translation.pdf	90525		User Change
DhsComplaintDocument	2013-04-30 14:20	Create	Dateentered	04/30/2013	90525		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	Redirect to Subject	No	14322		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	Ongoing	No	14322		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	(b)(5)	(b)(5)	14322		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	Incident Location Type	Residence	14322		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	Primary Issue	No	14322		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	Country	USA	14322		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	Situation	DHS law enforcement activity	14322		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	Incident Location	(b)(6)	14322		User Change
DhsComplaintIssue	2013-04-30 14:26	Create	State	Washington - WA	14322		User Change

DhsComplaintIssue	2013-04-30 14:26	Create	City	Auburn	14322	(b)(6)	User Change
DhsComplaintIssue	2013-04-30 14:27	Create	Redirect to Subject	No	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	Ongoing	No	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	(b)(5)	(b)(5)	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	Incident Location Type	Residence	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	Primary Issue	No	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	Country	USA	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	Situation	DHS law enforcement activity	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	Incident Location	(b)(6)	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	State	Washington - WA	14323		User Change
DhsComplaintIssue	2013-04-30 14:27	Create	City	Auburn	14323		User Change
DhsComplaintIssue	2013-05-06 15:45	Update	Primary Issue	Yes	14322		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Middle Name	(b)(6)	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Last Name	(b)(6)	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	State	Washington - WA	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	First Name	(b)(6)	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Address Line 1	(b)(6)	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Alien Registration	(b)(6)	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Country	USA	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Prefix	Mr	24067		User Change

DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Sender Anonymous	No	24067	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Zip Code	98092	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	Contact Type	Sender	24067		User Change
DhsComplaintPartiesInvolved	2013-04-30 14:23	Create	City	Auburn	24067		User Change

CRCLCompliance

From: CRCLCompliance
Sent: Wednesday, July 17, 2013 1:01 PM
To: (b)(6)
Cc: CRCLCompliance
Subject: Follow-up to CRCL Complaint Number 13-08-ICE-0233
Attachments: 05.10.2013 13-08-ICE-0233.pdf

Dear Mr. (b)(6)

Please see the attached correspondence from the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties. Thank you.

Sincerely,

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

This message, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by replying "received in error," and delete the message. In addition, this document may be used FOR OFFICIAL USE ONLY (FOUO) and/or contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). Therefore, it is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information, and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. Thank you.



Homeland
Security

July 17, 2013

(b)(6) Director of Legal & Policy Affairs
American-Arab AntiDiscrimination Committee

(b)(6)

Re: Complaint No. 13-08-ICE-0233; (b)(6)

Dear Mr. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on May 10, 2013, regarding (b)(6). Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security (DHS).

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at CRCLCompliance@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.

From: (b)(6)
To:
Subject: FW: ADC Inquiry: ICE Detroit Actions
Date: Thursday, May 16, 2013 11:57:42 AM

Please connect with the (b)(6) matter

(b)(6)

Deputy Director Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Tel (202) 357- (b)(6)

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of General Counsel before disclosing any information contained in this email.

From: (b)(6)
Sent: Thursday, May 16, 2013 11:56 AM
To: (b)(6)
Cc:
Subject: FW: ADC Inquiry: ICE Detroit Actions

FYI – just making sure Compliance had this background on the ADC / ICE complaint (b)(6) the intern presented at the case opening meeting this morning.

(b)(6)

DHS / CRCL
202-357- (b)(6) desk
202- (b)(6) cell

From: (b)(6)
Sent: Friday, May 10, 2013 4:12 PM
To: Gersten, David; Heyman, David; Kessler, Tamara
Cc: (b)(6) Civil Liberties; (b)(6)
Subject: Re: ADC Inquiry: ICE Detroit Actions

FYI, (b)(6), (b)(7)(C) indicated this was an HSI encounter; not ERO.

(b)(6)

JD, LL.M.
Senior Policy Advisor / Section Lead
Community Engagement Section
Office for Civil Rights and Civil Liberties (CRCL)
Office of the Secretary

US Department of Homeland Security (DHS)

202 (b)(6) (Mobile)

(b)(6)@hq.dhs.gov

<http://www.dhs.gov/crcl>

This message may contain agency deliberative communications, privacy information or other information that may be privileged and exempt from disclosure outside the agency or to the public. Please consult with the US Department of Homeland Security, Office for Civil Rights and Civil Liberties and the Office of General Counsel before disclosing any information contained in this email.

From: (b)(6)@adc.org]
Sent: Friday, May 10, 2013 03:49 PM Eastern Standard Time
To: Gersten, David; Heyman, David; Kessler, Tamara; (b)(6)
Cc: (b)(6) Civil Liberties
Subject: ADC Inquiry: ICE Detroit Actions

Dear Colleagues,

I hope this message finds you well.

Attached you will find a letter sent to Secretary Napolitano this afternoon. The purpose of the letter is bring to your attention alarming action taken by Immigration and Customs Enforcement (ICE) agents in Detroit, Michigan. The matter pertains to the arrest and immediate deportation of two individuals of Syrian descent, a 24 year old male and a 23 year old female, brother and sister. The families of the individuals have contacted ADC seeking legal assistance and counsel.

As the letter indicates, ADC expresses serious concern about the actions of the ICE agents in the removal of the two individuals. The siblings were not provided access to legal counsel, and further, they were questioned about their contacts in Syria. The siblings were also questioned as to whether they knew anyone in Dearborn that supports terrorist organizations.

This is the first such complaint ADC has received of this nature, and the hope is that this is an isolated incident. The actions taken by ICE agents in Detroit are contrary to procedure and protocol, as has been explained to ADC. An inquiry was made to the Detention & Removal Office in Detroit prior to the removal of the siblings, and it was indicated that they had no information about the matter.

ADC looks forward to discussing this matter further. You can reach me via email, or on my direct line at 202 (b)(6)

Thank you,

(b)(6)

(b)(6)

Legal Director

American-Arab Anti-Discrimination Committee (ADC)

1990 M Street, NW (b)(6)

Direct Line: 202 (b)(6)

Cell Phone: 313 (b)(6)

Email: (b)(6)

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From: (b)(6)
To: CRCL Compliance
Subject: FW: ADC Inquiry: ICE Detroit Actions
Date: Monday, June 10, 2013 2:57:32 PM
Attachments: ADC Inquiry ICE Detroit.pdf

As requested. Attachment included.



Homeland Security

(b)(6) JD, LL.M.
Senior Policy Advisor / Section Lead
Community Engagement Section
Office for Civil Rights and Civil Liberties (CRCL)
Office of the Secretary
US Department of Homeland Security (DHS)
202 (b)(6) Office)
202 (b)(6) Mobile)
(b)(6) @hq.dhs.gov
<http://www.dhs.gov/crcl>

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Duplicate



May 10, 2013

Via First-class Mail

Via Facsimile to 202-612-1976

The Honorable Secretary Janet Napolitano
Department of Homeland Security
United States Department of Homeland Security
Washington, DC 20528

Re: ICE Raid – Detroit, MI

Dear Secretary Napolitano:

I am writing to you on behalf of the American-Arab Anti-Discrimination Committee (ADC), the country's largest Arab-American organization. ADC is grassroots organization, which has protected the Arab-American community for over thirty years against defamation, discrimination, and stereotyping.

The purpose of this letter is to bring to your attention alarming action taken by Immigration and Customs Enforcement (ICE) agents in Detroit, Michigan. The matter pertains to the arrest and immediate deportation of two individuals of Syrian descent, a 24 year old male and a 23 year old female, brother and sister. The families of the individuals have contacted ADC seeking legal assistance and counsel.

The individuals, both UK citizens, arrived to the US via the visa waiver program just under six weeks ago. On the afternoon of May 9, 2013, ICE agents raided the residence of the individuals. ICE agents alleged that they received a tip indicating the individuals were working illegally while in the US. The agents acted with force and aggression upon entering the residence, and immediately apprehended the individuals.

Upon apprehension, families of the individuals were told that the siblings would be immediately sent to the UK. It is important to note that the siblings obtained UK citizenship from their father at a young age and have spent most of their life in Syria. Furthermore, ICE agents would not permit the siblings to contact an attorney or seek any legal advice.

Hours after the initial detainment, and much pleading from the family, the siblings were permitted to contact family members. The siblings informed family members that ICE agents interrogated the individuals. ICE agents asked many questions pertaining to their family in Syria, including questions such as "*Who do you think is fighting on the ground,*" "*Do you know anyone from Hezbollah or Al-Qaida in Dearborn who is supporting these groups,*" and, "*Could you provide names of individuals supporting terrorist organizations.*"

The siblings were told that the US government has surveillance indicating that they have travelled to Lebanon, as well as "recordings of their phone conversations." The siblings were told that if they cooperated with ICE agents, their record would indicate that they "assisted the government."



American-Arab Anti-Discrimination Committee

The siblings were put on a plane to the UK on the evening of May 9, 2013. The siblings have not been to the UK during their adult life, and have been sent to a country they are not familiar with. ICE agents gave the siblings the opportunity to return to Syria – which shows complete lack of understanding of the current situation in Syria. In February of 2012 you granted Temporary Protective Status (TPS) to Syrian nationals – the fact that agents from a component of DHS would offer to deport someone to Syria, despite all the recognized dangers, is troubling.

The facts, as provided to ADC, are very alarming and raise serious questions about the actions taken by the ICE agents. It is clear that the questions asked to the siblings are a direct result of their Syrian heritage. The Department of Homeland Security (DHS) must not engage in such practice as it undermines the mission of your respective agency. Further, refusal to allow legal counsel to the siblings is a major concern not only for Arab Americans, but for all immigrant communities who are subject to abuses of power by ICE agents and officials.

This is the first such complaint ADC has received of this nature, and the hope is that this is an isolated incident. The actions taken by ICE agents in Detroit are contrary to procedure and protocol, as has been explained to ADC. An inquiry was made to the Detention & Removal Office in Detroit prior to the removal of the siblings, and it was indicated that they had no information about the matter.

ADC requests that an immediate investigation into the matter. ADC seeks assurances that individuals of Syrian heritage are not treated differently simply because of their national origin.

ADC will continue to work with the family, and take all necessary steps to rectify the matter. Should you wish to discuss this matter further, please contact me directly at 202. (b)(6)

Sincerely,

(b)(6)

(b)(6)

Policy Affairs

Mr. David Gersten - *Department of Homeland Security (DHS)*

Mr. David Heyman - *Department of Homeland Security (DHS)*

Ms. Tamara Kessler - *Department of Homeland Security (DHS)*

Mr. (b)(6) *Department of Homeland Security (DHS)*

Mr. (b)(6) - *ADC Senior National Advisor/Regional Director*

ADC Legal Department

From: (b)(6)
To: (b)(6)
Cc: CRCL Compliance; Blumberg, Jeffrey; (b)(6)
Subject: FW: S1 Correspondence from (b)(6) re: Complaints of Mistreatment and Deportation by ICE Agents in Detroit - WF # 981173
Date: Monday, May 13, 2013 9:52:02 AM
Attachments: 981173 attachment 13-2400 (b)(6) 05.10.13.pdf

Hi (b)(6)

Please process this correspondence as a new Contact. The names of the siblings involved are not identified in the letter.

The Source is DHS Executive Secretariat. Include the Exec Sec Workflow Number of 981173 in the Allegation Summary and note that DHS Exec Sec assigned this matter to ICE for response and sent a copy to CRCL as an FYI. (b)(6) Section Lead of the Community Engagement Section, has asked CRCL Exec Sec to ask DHS Exec Sec if CRCL can coordinate on a response.

Based on the letter, CRCL also received the correspondence directly from the American-Arab Anti-Discrimination Committee (ADC) as a courtesy copy. (I will check if we have received the fax. If we did, it would have been received just last Friday, May 10, (b)(6) telework day, and may be awaiting scanning. I will inform (b)(6) that Compliance will handle this matter.)

Please include this email thread as an Internal CRCL Email (Miscellaneous Document Type) in Entellitrak.

Thank you.

(b)(6)

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
(b)(6)@hq.dhs.gov

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-----Original Message-----

From: (b)(6)
Sent: Friday, May 10, 2013 5:41 PM
To: Kessler, Tamara; Gersten, David; (b)(6) Blumberg, Jeffrey; (b)(6)
(b)(6)
Cc: (b)(6)
Subject: S1 Correspondence from (b)(6) re: Complaints of Mistreatment and Deportation by ICE Agents in Detroit - WF # 981173

This was sent to CRCL as an FYI. ICE has been tasked to reply direct by 6/3/13.

Sincerely,

(b)(6)
DHS/CRCL/CRCL ExecSec
(202) 357-(b)(6) Direct ~ (202) (b)(6) Mobile
(202) 357-1196 Fax ~ (b)(6)@hq.dhs.gov

-----Original Message-----

From: (b)(6) [REDACTED]@IQ.DHS.GOV]

Sent: Friday, May 10, 2013 5:12 PM

To: CRCL Exec Sec

Subject: Information for ESEC Workflow # 981173 (Contact 981173) (Intranet Quorum IMA003868817)

CRCL: This is an FYI.

<https://IQ.dhs.gov/iq/workflowhome.aspx?showfolder=workflow&showcontent=ID981173&iAccount=IQ>



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FAX

2013 10 11 4:4

To: Secretary Napolitano **From:** (b)(6)
Fax: 202 (b)(6) **Pages:** 3 (Including cover)
Phone: **Date:** May 10, 2013
Re: ICE Detroit Matter **CC:**

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Comments:

(b)(6)

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American-Arab Anti-Discrimination Committee

1732 Wisconsin Avenue, NW | Washington, DC 20007

Tel: 202 (b)(6) Fax: 202 (b)(6) Email: (b)(6) | www.adc.org



(b)(6)

From: CRCL_DHSOIGHotline <CRCL_DHSOIGHotline@oig.dhs.gov>

Sent: Thursday, July 18, 2013 3:32 PM

To: (b)(6) CRCL_DHSOIGHotline

Cc: (b)(6)

Subject: RE: CRCL Complaint Number 13-08-ICE-0233

Follow Up Flag: Follow up

Flag Status: Flagged

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)@hq.dhs.gov]

Sent: Wednesday, July 17, 2013 12:36 PM

To: CRCL_DHSOIGHotline

Cc: (b)(6)

(b)(6)

Subject: CRCL Complaint Number 13-08-ICE-0233

DHS OIG,

Summary of new complaint for your review:

On May 10, 2013, CRCL received an email from DHS Executive Secretary (Workflow #981173) regarding the May 10, 2013, correspondence from Mr. (b)(6) from the American-Arab Anti Discrimination Committee (ADC) to the Secretary of Homeland Security, on behalf of two unnamed individuals of Syrian descent, a 24-year-old male and a 23-year-old female, who are brother and sister. (The ADC later identified them as (b)(6)) According to the ADC's letter, dated May 10,

2013, ICE agents in Detroit, Michigan engaged in racial profiling and infringed upon the legal access rights of these two individuals, who arrived in the United States via the visa waiver program." The ADC states that the siblings are both citizens of the United Kingdom (UK), but spent most of their lives in Syria. The ADC reports that on May 9, 2013, ICE agents in Detroit, Michigan, raided their home, arrested, and immediately deported them to the UK on the same day. The ADC alleges racial profiling in this incident, claiming that the raid was conducted as "a direct result of their [unidentified individuals'] Syrian heritage." The ADC also claims that ICE agents interrogated them about their family in Syria. The ADC says the ICE agents asked questions such as, "Could you provide names of individuals supporting terrorist organizations?" The ADC further alleges that ICE agents denied the individuals the right to obtain legal counsel. The ADC states, "ICE agents would not permit the siblings to contact an attorney or seek any legal advice."

In response to a question from CRCL, the ADC on June 25, 2013, identified the siblings involved in the alleged incident as (b)(6)

[Note: DHS Exec Sec assigned this matter to ICE for response and sent a copy to CRCL as an FYI. Acting Officer for CRCL Tamara Kessler, as well as David Gersten, Director of the Programs Branch, and (b)(6) (b)(6) Section Lead of the Community Engagement Section, were courtesy copied by the ADC in the incoming letter from the ADC. CRCL also received a copy of the correspondence directly from the ADC. CRCL requested that DHS Exec Sec enable CRCL to coordinate with ICE on the response; ICE sent CRCL the draft response for review and comment before finalizing it.]

Thank you.

(b)(6)
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357-(b)(6)
202-(b)(6) (c)
(b)(6)@hq.dhs.gov

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DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-13-0347 13-08-ICE-0233

(b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2013-05-16 13:02	Create	Entry Date	05/16/2013	9026	(b)(6)	User Change
DhsComplaint	2013-05-16 13:02	Create	Method of Receipt	Email	9026		User Change
DhsComplaint	2013-05-16 13:02	Create	Date on Correspondence	05/10/2013	9026		User Change
DhsComplaint	2013-05-16 13:02	Create	Date to DHS	05/10/2013	9026		User Change
DhsComplaint	2013-05-16 13:02	Create	Date to CRCL	05/10/2013	9026		User Change
DhsComplaint	2013-05-16 13:02	Create	Days to Process	6	9026		User Change
DhsComplaint	2013-05-16 13:02	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	9026		User Change
DhsComplaint	2013-05-16 13:02	Create	Summary	On May 10, 2013, CRCL received an email from DHS Executive Secretary (Workflow #981173) to the May 10, 2013, correspondence from Mr. (b)(6) from the American-Arab Anti Discrimination Committee (ADC) to the Secretary of Homeland Security, on behalf	9026		User Change
DhsComplaint	2013-05-16 13:02	Create	Component Referenced	ICE	9026		User Change
DhsComplaint	2013-05-16 13:04	Update	Summary	On May 10, 2013, CRCL received an email from DHS Executive Secretary (Workflow #981173) regarding the May 10, 2013, correspondence from Mr. (b)(6) (b)(6) from the American-Arab Anti Discrimination Committee (ADC) to the Secretary of Homeland Security, on	9026		User Change
DhsComplaint	2013-07-17	Update	Days to Process	68	9026		User

DHS-004-0000821

	10:02				(b)(6)	Change
DhsComplaint	2013-07-17 10:02	Update Summary	On May 10, 2013, CRCL received an email from DHS Executive Secretary (Workflow #981173) regarding the May 10, 2013, correspondence from Mr. (b)(6) from the American-Arab Anti Discrimination Committee (ADC) to the Secretary of Homeland Security, on	9026		User Change
DhsComplaint	2013-07-16 17:41	Update Days to Process	67	9026		User Change
DhsComplaint	2013-07-16 17:41	Update Summary	On May 10, 2013, CRCL received an email from DHS Executive Secretary (Workflow #981173) regarding the May 10, 2013, correspondence from Mr. (b)(6) from the American-Arab Anti Discrimination Committee (ADC) to the Secretary of Homeland Security, on	9026		User Change
DhsComplaintAction	2013-07-17 12:31	Create Comments	Per (b)(6) (b)(6) this is (b)(5),(b)(5),(b)(7)(A) 5/16/2013 being assigned to (b)(6) on 7/15/2013. Per (b)(6) ICE has been tasked with (b)(5),(b)(7)(A) and follow-up with (b)(6)	110896		User Change
DhsComplaintAction	2013-07-17 12:31	Create Action Date	07/17/2013	110896		User Change
DhsComplaintAction	2013-07-17 12:31	Create Action	Open a Complaint	110896		User Change
DhsComplaintAction	2013-07-17 12:38	Create Comments	Sent 7/17/2013.	110897		User Change
DhsComplaintAction	2013-07-17 12:38	Create Action Date	07/17/2013	110897		User Change
DhsComplaintAction	2013-07-17 12:38	Create Action	Sent to IG	110897		User Change
	2013-		13-08-ICE-0233 (OIG			User

DhsComplaintAction	07-18 15:41	Create	Document	Response 07.18.2013).pdf	110916	(b)(6)	Change
DhsComplaintAction	2013- 07-18 15:41	Create	Action Date	07/18/2013	110916		User Change
DhsComplaintAction	2013- 07-18 15:41	Create	Action	IG Declines/Back from IG	110916		User Change
DhsComplaintAction	2013- 07-18 15:42	Create	Comments	Per (b)(6) (b)(6) this is (b)(5),(b)(7) (b)(5),(b)(7)(A) 5/16/2013 being assigned to (b)(6) (b)(6) on 7/15/2013. Per (b)(6) (b)(6) ICE has been tasked with (b)(5),(b)(7)(A) and follow-up with (b)(6)	110917		User Change
DhsComplaintAction	2013- 07-18 15:42	Create	Action Date	07/18/2013	110917		User Change
DhsComplaintAction	2013- 07-18 15:42	Create	Action	Awaiting Recommendation	110917		User Change
DhsComplaintAction	2013- 07-26 12:30	Create	Action Date	07/26/2013	110983		User Change
DhsComplaintAction	2013- 07-26 12:30	Create	Action	Recommendation Review	110983		User Change
DhsComplaintAction	2013- 07-26 12:30	Create	Comments	short form	110984		User Change
DhsComplaintAction	2013- 07-26 12:30	Create	Action Date	07/26/2013	110984		User Change
DhsComplaintAction	2013- 07-26 12:30	Create	Action	Back from Officer	110984		User Change
DhsComplaintAction	2013- 07-26 12:30	Create	Primary Assignment	(b)(6)	110984		User Change
DhsComplaintAction	2013- 11-20 09:17	Create	Action Date	07/26/2013	111689		User Change
DhsComplaintAction	2013- 11-20 09:17	Create	Action	Short Form	111689		User Change
DhsComplaintDocument	2013- 07-17 13:03	Create	Foreign Language	No	91370		User Change
DhsComplaintDocument	2013- 07-17 13:03	Create	Document Type	Acknowledgement Letter	91370		User Change
DhsComplaintDocument	2013- 07-17	Create	Dateentered	07/17/2013	91370		User Change

	13:03					(b)(6)	
DhsComplaintDocument	2013-07-17 13:03	Create	Document 1	05.10.2013 13-08-ICE-0233.pdf	91370		User Change
DhsComplaintDocument	2013-07-17 13:03	Create	Comments	Sent 7/17/2013.	91370		User Change
DhsComplaintDocument	2013-07-17 10:05	Create	Foreign Language	No	91361		User Change
DhsComplaintDocument	2013-07-17 10:05	Create	Document Type	Investigative Material	91361		User Change
DhsComplaintDocument	2013-07-17 10:05	Create	Dateentered	07/17/2013	91361		User Change
DhsComplaintDocument	2013-07-17 10:05	Create	Document 1	06.25.2013 (b)(6) ADC-CRCL emails and CRCL internal email_re (b)(6).pdf	91361		User Change
DhsComplaintDocument	2013-07-17 10:05	Create	Comments	CRCL internal email and 06/25/2013 email from (b)(6) of ADC identifying the referenced siblings involved in the alleged incident as (b)(6) (b)(6)	91361		User Change
DhsComplaintDocument	2013-07-17 10:07	Create	Foreign Language	No	91362		User Change
DhsComplaintDocument	2013-07-17 10:07	Create	Document Type	Miscellaneous Material/Other	91362		User Change
DhsComplaintDocument	2013-07-17 10:07	Create	Dateentered	07/17/2013	91362		User Change
DhsComplaintDocument	2013-07-17 10:07	Create	Document 1	06.14.2013 (b)(6) WF 981173 ICE Draft Response_CRCL edit.pdf	91362		User Change
DhsComplaintDocument	2013-07-17 10:07	Create	Comments	CRCL proposed edit on ICE draft response	91362		User Change
DhsComplaintDocument	2013-07-17 10:08	Create	Foreign Language	No	91363		User Change
DhsComplaintDocument	2013-07-17 10:08	Create	Document Type	Miscellaneous Material/Other	91363		User Change
DhsComplaintDocument	2013-07-17 10:08	Create	Dateentered	07/17/2013	91363		User Change
DhsComplaintDocument	2013-07-17 10:08	Create	Document 1	06.20.2013 ICE Response Letter_WF 981173 (to (b)(6).pdf	91363		User Change
				06/20/2013 ICE			

DhsComplaintDocument	2013-07-17 10:08	Create	Comments	response letter to Mr. (b)(6) ADC and internal CRCL email requesting that letter	91363	(b)(6)	User Change
DhsComplaintDocument	2013-07-17 10:08	Create	Document 2	07/15/2013 (b)(6) WF 981173_CRCL Internal Email.pdf	91363	(b)(6)	User Change
DhsComplaintDocument	2013-07-17 10:09	Update	Comments	06/20/2013 ICE response letter to Mr. (b)(6) ADC and 07/15/2013 CRCL internal email requesting that letter	91363	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:40	Create	Document Type	Incoming Letter	90711	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:40	Create	Foreign Language	No	90711	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:40	Create	Document 1	05.10.2013 Unidentified UK Citizens_ESEC 981173_CRCL-ExecSec Incoming Letter (via ADC).pdf	90711	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:40	Create	Dateentered	05/16/2013	90711	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:43	Create	Document Type	Miscellaneous Material/Other	90712	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:43	Create	Foreign Language	No	90712	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:43	Create	Document 1	05.10.2013 Unnamed UK Citizens_ESEC 981173_CRCL-ExecSec Incoming Letter (via ADC).pdf	90712	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:43	Create	Dateentered	05/16/2013	90712	(b)(6)	User Change
DhsComplaintDocument	2013-05-16 13:43	Create	Comments	CRCL Internal Email Thread	90712	(b)(6)	User Change
DhsComplaintDocument	2013-05-23 17:55	Create	Document Type	Miscellaneous Material/Other	90758	(b)(6)	User Change
DhsComplaintDocument	2013-05-23 17:55	Create	Foreign Language	No	90758	(b)(6)	User Change
DhsComplaintDocument	2013-05-23 17:55	Create	Document 1	05.10.2013 ADC Inquiry_ICE Detroit Actions_ADC Email and CRCL Internal Email.pdf	90758	(b)(6)	User Change
DhsComplaintDocument	2013-05-23 17:55	Create	Dateentered	05/23/2013	90758	(b)(6)	User Change
				May 10, 2013 ADC		(b)(6)	

DhsComplaintDocument	2013-05-23 17:55	Create	Comments	Email to CRCL and CRCL Internal Email Thread, noting that (b)(6),(b)(7)(C) of the ICE ERO Public Advocate's Office indicated that the (b)(5),(b)(7)(A)	90758	User Change
DhsComplaintDocument	2013-06-10 15:30	Create	Dateentered	06/10/2013	90878	User Change
DhsComplaintDocument	2013-06-10 15:30	Create	Document 1	05.10.2013 ADC Inquiry_ICE Detroit) Unnamed UK Citizens (b)(6) Email).pdf	90878	User Change
DhsComplaintDocument	2013-06-10 15:30	Create	Foreign Language	No	90878	User Change
DhsComplaintDocument	2013-06-10 15:30	Create	Document Type	Incoming Letter	90878	User Change
DhsComplaintDocument	2013-06-10 15:30	Create	Comments	05/10/2013 Email to CRCL and the DHS Office of Policy from (b)(6) of ADC on behalf of two unnamed UK citizens	90878	User Change
DhsComplaintIssue	2013-05-16 13:53	Update	Primary Issue	Yes	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	Redirect to Subject	No	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	Ongoing	No	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	(b)(5)	(b)(5)	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	Primary Issue	No	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	Country	USA	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	National Origin	Other	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	Situation	DHS law enforcement activity	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	State	Michigan - MI	14353	User Change
DhsComplaintIssue	2013-05-16 13:13	Create	City	Detroit	14353	User Change
DhsComplaintIssue	2013-05-16	Create	Other National Origin	Syrian	14353	User Change

	13:13					(b)(6)	
DhsComplaintIssue	2013-05-16 13:13	Create	Incident Date	05/09/2013	14353		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	Redirect to Subject	No	14354		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	Ongoing	No	14354		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	(b)(5)	(b)(5)	14354		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	Primary Issue	No	14354		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	Country	USA	14354		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	Situation	DHS law enforcement activity	14354		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	State	Michigan - MI	14354		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	City	Detroit	14354		User Change
DhsComplaintIssue	2013-05-16 13:17	Create	Incident Date	05/09/2013	14354		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	Redirect to Subject	No	14355		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	Ongoing	No	14355		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	(b)(5)	(b)(5)	14355		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	Primary Issue	No	14355		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	Country	USA	14355		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	Situation	DHS law enforcement activity	14355		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	State	Michigan - MI	14355		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	City	Detroit	14355		User Change
DhsComplaintIssue	2013-05-16 13:18	Create	Incident Date	05/09/2013	14355		User Change
DhsComplaintPartiesInvolved	2013-05-16	Create	Last Name	DHS Executive Secretary (Workflow)	24112		User

	2013-05-16 13:05	Create	Contact Type	Source	24112	(b)(6)	Change
DhsComplaintPartiesInvolved	2013-05-16 13:05	Create	Contact Type	Source	24112	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	Last Name	(b)(6)	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	State	District of Columbia - DC	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	First Name	(b)(6)	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	Address Line 2	1732 Wisconsin Avenue	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	Address Line 1	American-Arab Anti-Discrimination Committee	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	Country	USA	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	Prefix	Mr	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	Zip Code	20007	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	Contact Type	Sender	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	City	Washington	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:08	Create	Phone	202-(b)(6)	24113	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:10	Create	Last Name	Unnamed UK citizens	24114	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:10	Create	State	Michigan - MI	24114	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:10	Create	Comments	Mr. (b)(6) of the ADC wrote to DHS Exec Sec on behalf of two unnamed individuals of Syrian descent, a 24 year old male and a 23 year old female who are brother and sister. According to the ADC, they arrived in the United States via the visa waiver program.	24114	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16 13:10	Create	Contact Type	On Behalf Of	24114	(b)(6)	User Change
DhsComplaintPartiesInvolved	2013-05-16	Create	City	Detroit	24114	(b)(6)	User

	13:10			(b)(6)		Change
DhsComplaintPartiesInvolved	2013-07-17 12:45	Update First Name	(b)(6)	24114		User Change
			Mr. (b)(6) of the ADC wrote to DHS on behalf of two unnamed individuals of Syrian descent, unnamed in his correspondence. On June 25, 2013, in response to a question from CRCL, the Mr. (b)(6) provided with the names of the two individuals (siblings) involv			
DhsComplaintPartiesInvolved	2013-07-17 12:47	Update Comments		24114		User Change
			Mr. (b)(6) of the ADC wrote to DHS on behalf of two unnamed individuals of Syrian descent, unnamed in his correspondence. On June 25, 2013, in response to a question from CRCL, the Mr. (b)(6) provided with the names of the two individuals (siblings) involv			
DhsComplaintPartiesInvolved	2013-07-17 12:47	Update Comments		24468		User Change
			Mr. (b)(6) of the ADC wrote to DHS on behalf of two unnamed individuals of Syrian descent, unnamed in his correspondence. On June 25, 2013, in response to a question from CRCL, the Mr. (b)(6) provided with the names of the two individuals (siblings) involv			
DhsComplaintPartiesInvolved	2013-07-16 18:15	Create State	Michigan - MI	24468		User Change
DhsComplaintPartiesInvolved	2013-07-16 18:15	Create First Name	(b)(6)	24468		User Change
DhsComplaintPartiesInvolved	2013-07-16 18:15	Create Prefix	Ms	24468		User Change
			Mr. (b)(6) of the ADC wrote to DHS on behalf of two unnamed individuals of Syrian descent, unnamed in his correspondence. On June 25, 2013, in response to a question from CRCL, the Mr. (b)(6) provided with the names of the two individuals (siblings) involv			
DhsComplaintPartiesInvolved	2013-07-16 18:15	Create Comments		24468		User Change
			Mr. (b)(6) of the ADC wrote to DHS on behalf of two unnamed individuals of Syrian descent, unnamed in his correspondence. On June 25, 2013, in response to a question from CRCL, the Mr. (b)(6) provided with the names of the two individuals (siblings) involv			
DhsComplaintPartiesInvolved	2013-07-16 18:15	Create Contact Type	On Behalf Of	24468		User Change
DhsComplaintPartiesInvolved	2013-07-16 18:15	Create Last Name	(b)(6)	24468		User Change
DhsComplaintPartiesInvolved	2013-07-16 18:15	Create City	Detroit	24468		User Change
DhsComplaintPartiesInvolved	2013-07-16	Update First Name	(b)(6)	24114		User

18:16			(b)(6)	Change
2013-07-16 18:16	DhsComplaintPartiesInvolved	Update Prefix	Mr 24114	User Change
2013-07-16 18:16	DhsComplaintPartiesInvolved	Update Comments	Mr. (b)(6) of the ADC wrote to DHS on behalf of two unnamed individuals of Syrian descent, unnamed in his correspondence. On June 25, 2013, in response to a question from CRCL, the Mr. (b)(6) provided with the names of the two individuals (siblings) involv 24114	User Change
2013-07-16 18:16	DhsComplaintPartiesInvolved	Update Last Name	(b)(6) 24114	User Change

From: CRCLCompliance
To: (b)(6)
Subject: Follow-up to CRCL Complaint Number 14-04-ICE-0090
Date: Tuesday, February 25, 2014 3:23:00 PM
Attachments: 01.31.2014 14-04-ICE-0090.pdf

Dear Mr. (b)(6)

Please see the attached correspondence from the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties. Thank you.

Sincerely,

Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



Homeland
Security

This message, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by replying "received in error," and delete the message. In addition, this document may be used FOR OFFICIAL USE ONLY (FOUO) and/or contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). Therefore, it is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information, and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. Thank you.



Homeland
Security

February 25, 2014

Via electronic mail

(b)(6)
177 Livingston Street, (b)(6)
Brooklyn, NY 11201
(b)(6)

Re: Complaint No. 14-04-ICE-0090

(b)(6)

Dear Mr. (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on January 31, 2014. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security (DHS).

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at CRCLCompliance@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

(b)(6)

Acting Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.

From: (b)(6)
To: CRCL
Subject: CRCL Complaint on Behalf of Mr. (b)(6)
Date: Friday, January 31, 2014 6:08:07 PM
Attachments: CRCL Complaint (b)(6).pdf

To whom it may concern:

I write respectfully as attorney for Mr. (b)(6) an ICE detainee at Hudson County Jail in Kearny, New Jersey, and submit the attached civil rights complaint form and supporting documents. As set forth in the complaint, Mr. (b)(6) was detained by ICE following a night-time raid on his home on October 22, 2013. I respectfully request an investigation, not only into the raid, but also into the arresting ICE officers' accusation (made in an official record – the I-213) – that my client is a member of the "violent MS-13 street gang," a claim my client vehemently denies. Please contact me directly should you require additional information.

(b)(6)
Trial Attorney, Immigration Unit
Brooklyn Defender Services
177 Livingston Street, (b)(6)
Brooklyn, NY 11201
(718) 254-0700, ext. (b)(6)
(b)(6)

Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① **Information about the person who experienced the civil rights/civil liberties violation**

(fill in what you can)

Name: (b)(6) (b)(6)
First and Middle Last

Phone #: Cell: N/A Home: N/A Work: N/A

Please note that we may contact you at the provided numbers.

Mailing Address: _____
PO Box or Street address City State Zip

Date of Birth: (b)(6) Email (optional): _____

Alien Registration #. (if you have one and it's available): 206 (b)(6)

☐ Check here if you are in detention now.

Which facility? HUDSON COUNTY JAIL, 30-35 HACKENSACK AVE. KEARNY, NJ 07032

Facility name

Facility address

☒ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information (b)(6) BROOKLYN DEFENDER SVCS, 177 LIVINGSTON ST. (b)(6) BROOKLYN, NY 11201 (718) 254-0700 EXT (b)(6)

② **Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.**

Name: (b)(6)
First Last Job title

Organization (if any): BROOKLYN DEFENDER SERVICES

Phone #: Cell: 347 (b)(6) Home: _____ Work: 718-254-0700 X (b)(6)

Mailing Address: 177 LIVINGSTON ST. (b)(6) BROOKLYN, NY 11201
PO Box or Street address City State Zip

③ **What happened? Describe your complaint. Give as much detail about your experience as possible.**

SEE ATTACHED DECLARATION OF (b)(6) (EXH. A, (b)(6) DECLARATION). UPON INFORMATION AND BELIEF, MY CLIENT WAS ARRESTED DURING THE COURSE OF A WARRANTLESS NIGHT-TIME HOME RAID BY MULTIPLE ARMED ICE OFFICERS, AND FOURTH AMENDMENT AND REGULATORY VIOLATIONS WERE COMMITTED DURING THE COURSE OF THE HOME RAID.

MOREOVER, UPON PROCESSING BY ICE, A FORM I-213 WAS ISSUED BY SPECIAL AGENT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) ACCUSING MR. (b)(6) OF BEING "A MEMBER OF THE VIOLENT MS-13 STREET GANG." THIS ACCUSATION IS BASED ON NO DISCERNABLE EVIDENCE, AND MR. (b)(6) VEHEMENTLY DENIES BEING A MEMBER OF MS-13. (EXH. B, FORM I-213; SEE ALSO (b)(6) DECL.). MR. (b)(6) RESPECTFULLY REQUESTS AN INVESTIGATION INTO MR. (b)(6), (b)(7)(C) CONDUCT AND THE BASIS OF THE PREJUDICIAL ACCUSATION OF GANG-INVOLVEMENT. AS NOTED IN THE DECLARATION, MR. (b)(6) ALSO RECALLS BEING PROMISED "PAPERS AND A WORK PERMIT" BY OFFICERS IF HE COULD IDENTIFY UNKNOWN MEN WHO APPEARED TO BE GANG-INVOLVED WHO WERE IN PHOTOGRAPHS THAT WERE SHOWN TO MR. (b)(6) MR. (b)(6) COULD NOT IDENTIFY THESE MEN, AS HE IS NOT, AND HAS NEVER BEEN, A GANG-MEMBER. UPON INFORMATION AND BELIEF, ANOTHER OFFICER WHO PARTICIPATED IN THE RAID INCLUDED SPECIAL AGENT (b)(6), (b)(7)(C) (EXH. C ADMINISTRATIVE WARRANT SIGNED BY HER).

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

THE HOME RAID OCCURRED THE NIGHT OF OCTOBER 22, 2013. MR. (b)(6) WAS PROCESSED AND BOOKED FOR REMOVAL PROCEEDINGS LATER THAT EVENING.

Where did this happen?

Place (for example, name the detention facility, airport, other): RESIDENCE AT (b)(6)
City: WESTBURY State or Country: NY 11590

④ Who treated you unfairly?

An employee, contractor, or officer of (check as many as apply):

- | | |
|---|--|
| ☐ Citizenship and Immigration Services (USCIS) | ☐ Not sure which DHS office |
| ☐ Customs and Border Protection (CBP)* | ☒ Non-DHS employee working under the authority |
| ☐ Customs Officer | of DHS (e.g., 287g officer) |
| ☐ Border Patrol Agent | specify: NASSAU COUNTY POLICE DEPT |
| ☐ Federal Emergency Management Agency (FEMA) | |
| ☒ Immigration and Customs Enforcement (ICE) | |
| ☐ Secret Service (USSS) | |
| ☐ Transportation Security Administration (TSA)* | |
| ☐ U.S. Coast Guard (USCG) | |
| ☐ Other DHS program (specify) : | |

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): _____

Mailing Address: _____
PO Box or Street address City State or Country Zip

Phone No.: _____ Email: _____

Names (or other information, e.g., agency): _____

Mailing Address: _____
PO Box or Street address City State or Country Zip

Phone No.: _____ Email: _____

Continue on an additional page, if needed.

⑥ Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?

☒ **Yes:** Agency/Office/Court VARICK STREET IMMIGRATION COURT

Date: 1/17/14

☐ **No**

If so, has anyone responded to your complaint?

☐ **Yes** ☒ **No**

If Yes, describe what has been done to respond to your complaint:

A MOTION TO SUPPRESS AND/OR TERMINATE PROCEEDINGS WAS FILED WITH THE VARICK STREET IMMIGRATION COURT ON JANUARY 17, 2014. IT REMAINS PENDING. THE PURPOSE OF THE INSTANT COMPLAINT, HOWEVER, IS TO SEEK AN INVESTIGATION INTO OFFICERS' CONDUCT IN ACCUSING MR. (b)(6) OF GANG-INVOLVEMENT, AND APPROPRIATE REDRESS. THIS ACCUSATION AFFECTS MR. (b)(6) LIBERTY INTEREST AND IS PREJUDICIAL IN THAT HE IS NOW IN A POSITION OF HAVING TO REFUTE THE CLAIM IN ORDER TO SEEK RELEASE ON BOND, WHICH THE AGENCY DECLINED TO SET WHEN HE WAS INITIALLY PROCESSED.

Continue on an additional page, if needed.

⑦ Is there any other information you want us to know about or consider?

Continue on an additional page, if needed.

- ⑧ If you are not proficient in English, please indicate the language in which you prefer we communicate with you.

PLEASE COMMUNICATE WITH ME THROUGH MY ATTORNEY (b)(6)

- ⑨ If you have problems understanding this form or any other question, contact CRCL:

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov.

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

Exhibit A

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
VARICK STREET IMMIGRATION COURT
NEW YORK, NY**

In the Matter of

(b)(6)

RESPONDENT'S DECLARATION

In Removal Proceedings

**DECLARATION OF RESPONDENT (b)(6) UNDER PENALTY OF
PERJURY PURSUANT TO 28 U.S.C. § 1746 IN SUPPORT OF RESPONDENT'S
MOTION TO SUPPRESS AND EXCLUDE EVIDENCE AND FOR TERMINATION**

I, (b)(6) do declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge and belief:

1. My name is (b)(6) I was born on (b)(6) I am twenty-two years old.
2. I am currently detained by Immigration and Customs Enforcement at Hudson County Jail in Kearny, New Jersey. I have been in immigration detention since immigration officers arrested me at my home on October 22, 2013.
3. At the time of my arrest by immigration, I was living at (b)(6) in the town of Westbury, New York, 11590. I was living there with my girlfriend, (b)(6) her two U.S. Citizen children, (b)(6) who is 6, and (b)(6) who is 8, (b)(6) sisters (b)(6) and (b)(6) and two other gentlemen, named (b)(6) At the time of my arrest by ICE, we had only been living at that address for about three months.
4. It was between 8 and 9pm when immigration officers raided my house. I remember the time because (b)(6) and I were watching TV waiting for a soap opera that starts at 9PM. Because it was late, I was shirtless and in my pajamas.
5. Everything started when (b)(6) and I saw through the front windows that there were people circling our house and looking through the windows. There were about six people circling the house and looking in through the windows. At first, we thought they were criminals.
6. Then, they started knocking on the front door. They knocked very hard, about five times. They didn't say who they were, they only knocked. I said to (b)(6) that maybe it was the

police. Everyone in the house started getting scared. We didn't know who the people were and what they were here for.

7. I went upstairs to alert (b)(6) sisters about what was going on. Upstairs, I put a t-shirt on, and as I was walking back down, (b)(6) was at the front door and five officers had already made their way into the house. There were other officers outside and one guarding the door. The officers were armed and had batons.
8. As soon as I came down, about 4 officers surrounded and cornered me so that I couldn't leave. One of them asked me for my name. I said (b)(6). Then the officer asked me if I had used any other name. I said I've always used my own name.
9. As they were surrounding me, one of them asked (b)(6) if there was a (b)(6) living in the house because they were looking for him. (b)(6) told them that there was no (b)(6) living with us, and told them the names of the people who were living there.
10. One of the officers then asked me if I had an ID. I bent down a little bit to try to pick up a pair of work pants that were nearby, but as I was coming up, one of the officers grabbed the pants, and another grabbed my wallet that was in one of the pockets. The man who took my wallet went through it backwards and forwards and took my identity documents.
11. Then, a female officer looked at it, and started questioning me. She asked me my age, and then asked me if I knew I can't be in this country. Since I was still in my pajamas and was barefoot, she told me to change because they were going to take me away. But as I moved forward a little bit, one of the officers got in front of me and put his hands on my chest. Then, one of the officers told the women to go get clothes for me, and (b)(6) sent (b)(6) to go get clothing for me.
12. When (b)(6) came back down with clothing, she got sad when she saw the officers cuffing me. She asked, "Daddy, where are you going?" She is not my biological daughter, but I had been taking care of her ever since I was with (b)(6) so she called me daddy. She is 8 years old. As I was getting dressed, (b)(6) sent the kids back upstairs. (b)(6) were nervous and scared.
13. Right away they put me in a van. I was there for several more minutes, maybe 10, as some of the ICE officers talked to the other residents of the house. As I was sitting in the van, I asked the officer who was next to me if I could use the bathroom. He told me no, that we

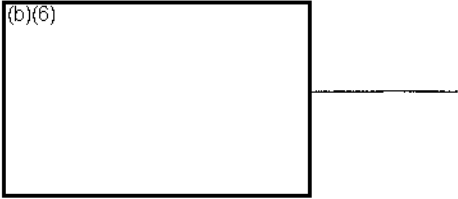
would get to our destination soon. But when the van started driving it felt like a long while before we got to our destination.

14. Once the officers started driving, it was about 40 minutes or more before we got to an office. They took me to a room, where they cuffed one of my hands to a chair and started asking me questions about myself and about two men in photographs that they were showing me. The pictures were of two men who had tattoos and looked like gang members. The officers who were questioning me accused me of knowing who they were, but I kept on telling them no.
15. Then the officers told me that if I was afraid of identifying these tattooed men, they could do things to protect me, like give me papers and a work permit. But again, I told them there is nothing I can do because I can't make accusations against someone I don't know. After a while they stopped questioning me, and put me in a room and did paperwork for my case.
16. While I was in the immigration office, I saw two officers who about a month before the home raid, had also arrested me on the street. It was about the first week of September, and I remember that I was 7 in the morning and I was waiting for work at a corner where a lot of construction workers gathered.
17. All of a sudden, a man grabbed me with force and put me into a van. The driver drove a few blocks to a police building, and he stopped the car outside of the building. Then, they took me out of the van and put me up against the van, and stripped searched me out in the street, in plain view of others who were passing by. They took off my shirt, my shoes, looked through my wallet. They even asked me to pull down my pants. At first I said no because I was embarrassed since there were people across the street watching me. But then they ordered me to so I did. I think they looked all over for tattoos. Then, one of them said that he could accuse me of anything, even something I hadn't done.
18. Since they didn't find anything, they left me there. By then, I had missed the work opportunities for the day, so I went back home.
19. It wasn't until I met my immigration attorney on November 12, 2013, that I learned that immigration was accusing me of being a gang member for MS-13.
20. I have never I been a member of MS-13 or any other gang. I don't have any tattoos or markings on my body. Immigration knows that, and like I said they even stripped search me once. I have always been a worker, and am not involved with gangs. I don't know why they are accusing me of being in a gang.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on January 16, 2014
in Kearny, New Jersey.

(b)(6)



(b)(6)

CERTIFICATE OF TRANSLATION

I, hereby declare under penalty of perjury that I am fluent in English and Spanish and that I have translated the above document to the affiant and that the affiant affirmed that it is true and correct.

(b)(6)

Date: 1-16, 2014

Brooklyn Defender Services

177 Livingston St.,

Brooklyn, NY 11201

(718) 254-0700 ext.

Exhibit B

Family Name (CAPS) (b)(6)		First	Middle
Country of Citizenship HONDURAS	Passport Number and Country of Issue NA (b)(6)		
Place of Birth (b)(6) Westbury, NEW YORK, 11590			
Date, Place, Time, and Manner of Last Entry Unknown Date, UNK		Passenger Boarded at	
Number, Street, City, Province (State) and Country of Permanent Residence			
Date of Birth (b)(6)	Age: 21	Date of Action	Location Code XLI/XNY
City, Province (State) and Country of Birth HONDURAS		AR ☒	Form (Type and No.) Lifted ☐ Not Lifted ☐
NVV Issuing Post and NVV Number NA		Social Security Account Name NA	
Date Visa Issued NA		Social Security Number NA	
Immigration Record NEGATIVE		Criminal Record	
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)			Number and Nationality of Minor Children
Father's Name, Status, and Address, if Known (b)(6) NATIONALITY: HONDURAS		Mother's Present and Maiden Names, Nationality, and Address, if Known (b)(6) NATIONALITY: HONDURAS	
Munies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? ☒ Yes ☐ No	Systems Checks See Narrative
Name and Address of (Last/Current) U.S. Employer		Type of Employment	Charge Code Words(s) See Narrative
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) FIN: (b)(6)		Salary	Employed from/to He
Left Index fingerprint (b)(6)		Right Index fingerprint (b)(6)	
NONE Unknown Place, Unknown Date Records Checked			
NCIC Pos TECS Neg IAFIS Pos EARM Neg CIS Neg			
Health Information ... (CONTINUED ON I-831)			
Alien has been advised of communication privileges		(Date/Initials)	(Date/Initials)
Distribution		Received (Substantive and Documentary) (Report of Interview) (b)(6), (b)(7)(C)	
		Officer NY	
		on: (date)	
		Disposition Notice to Appear Detained NY-862	
		Examining Officer (b)(6), (b)(7)(C)	

Alien's Name (b)(6)	File Number (b)(6)	Date 10/22/2013
----- The subject claims good health. FUNDS IN POSSESSION ----- United States Dollar 0.00 At/Near ----- Westbury, New York CHARGE CODES ----- I6A Record of Deportable/Excludable Alien: PREDICATION: Subject was encountered pursuant to information received from the Nassau County Police Department regarding subject being an MS-13 gang member and present in the United States without authorization. Alienage and Deportability established at the time of encounter. Subject was transported to ASAC, Long Island for processing. AT ENTRY: (b)(6) citizen an national of Honduras, DOB (b)(6) last entered the United States at an unknown place at an unknown time approximately in 2008. OTHER FACTORS: Subject is a member of the violent MS-13 street gang. On 09/01/2013, subject was arrested by the Nassau County Police Department for criminal possession of a weapon and criminal possession of a controlled substance. Record check indicate that subject does not have any petitions or applications pending with Citizenship and Immigration Services. Subject claims to be in good health. Subject was offered a meal however, turned it down. Subject has no monies in his possession. Subject contacted, via telephone 516-(b)(6) Other Identifying Numbers ----- ALIEN (b)(6) (b)(6), (b)(7)(C) Signature Title SPECIAL AGENT		

Exhibit C

From: DHSOIGHotlineMailbox
To: (b)(6) CRCL_DHSOIGHotline
Cc: (b)(6)
Subject: RE: CRCL Complaint Number 14-04-ICE-0090
Date: Wednesday, February 26, 2014 10:44:00 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should your office take any administrative or personnel action in response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)
Sent: Monday, February 24, 2014 4:00 PM
To: CRCL_DHSOIGHotline
Cc: (b)(6)
(b)(6)
Subject: CRCL Complaint Number 14-04-ICE-0090

DHS OIG,

Summary of new complaint for your review:

On January 31, 2014, CRCL received email correspondence from (b)(6) a Trial Attorney in the Immigration Unit of Brooklyn Defender Services, on behalf of (b)(6) an ICE detainee at Hudson County Jail in Kearny, New Jersey, regarding ICE HSI (b)(6) correspondence states that that (b)(6) was arrested by ICE during the course of an alleged warrantless night-time raid on his home in Westbury, New York (Nassau County) on October 22, 2013, and that Fourth Amendment and regulatory violations were committed during the course of the raid. Further, the complaint alleges that Mr. (b)(6) I-213 indicates he is a member of the MS-13 street gang, a claim that Mr. (b)(6) denies.

In his correspondence, Mr. (b)(6) included a Motion to Suppress and/or Terminate Proceedings filed with the Varick Street Immigration Court in New York, New York. In the court filing, Mr. (b)(6) alleges that the following took place during the raid, including: (1) ICE agents told him they were looking for (b)(6) and Mr. (b)(6) girlfriend said that no one by that name was living with them (2) Agents went through his wallet, took his identifying documents, and he was asked if he knew he "couldn't be in this country" (3)

He was taken to an ICE office, handcuffed, and asked questions about two tattooed men in photographs shown by agents (4) Agents hold him that if he was afraid of identifying the men, they could protect him with things like "papers and a work permit." Mr. (b)(6) said he did not know them; and (5) While in the office, Mr. (b)(6) recognized two ICE agents who had arrested him on the street a month prior, in the first week of September around 7:00 am, while he was waiting at a corner where construction workers gather to wait for work opportunities. One of the agents allegedly grabbed him with force and put him into a van. He was driven a few blocks to a "police building," taken out of the van, and strip searched in plain view of passersby. Mr. (b)(6) thinks the agents may have been inspecting his body for tattoos. One of them allegedly said that he could accuse Mr. (b)(6) of anything, even something he hadn't done. Mr. (b)(6) said that he thought the agents didn't find what they were looking for, and they left him on the street.

Lastly, Mr. (b)(6) states that it wasn't until he met with his immigration attorney on November 12, 2013, that he learned he was being accused of being a MS-13 gang member.

(b)(6)

Office for Civil Rights and Civil Liberties
Department of Homeland Security

202-357 (b)(6)

(b)(6)

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email



**Homeland
Security**

July 22, 2014

(b)(6)

Brooklyn Defender Services
177 Livingston Street, (b)(6)
Brooklyn, NY 11201

Re: Complaint No. 14-04-ICE-0090 (b)(6)

Dear (b)(6)

The Office for Civil Rights and Civil Liberties (CRCL) received a complaint from you on January 31, 2014, concerning the treatment of (b)(6) by employees of U.S. Immigration and Customs Enforcement (ICE). Specifically, your complaint alleges that ICE violated Mr. (b)(6) civil rights during a night-time enforcement operation at his home on October 22, 2013.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against Department of Homeland Security (DHS) employees and officials concerning violations of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion.

CRCL takes allegations of violations of civil rights and civil liberties very seriously. We have determined that your allegations should be investigated by ICE, a component of DHS, which will report its findings to CRCL. ICE will conduct an investigation of one or more of the concerns that you have raised:

- Whether ICE agents committed any civil rights or civil liberties violations and followed appropriate policy pursuant to their arrest of Mr. (b)(6)
- Whether ICE's questioning of Mr. (b)(6) about whether he was a member of MS-13 was in accordance with ICE policy and procedures?

We will review ICE's findings and assess compliance with civil rights requirements in these areas. The purpose of this process is to determine if your allegations raise issues that can and should be addressed by DHS management.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf or that of Mr. (b)(6). Instead, we use complaints like yours to find and address problems in DHS policy and its implementation.

Protected by Attorney-Client and Deliberative Process Privileges

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that Mr. (b)(6) is a victim of such a reprisal, please contact us immediately.

ICE or CRCL will contact you if additional information is needed or to report on the Department's review of this matter. If you have any questions concerning this referral, you may contact CRCL by phone at 866-644-8360, 866-644-8361 (TTY), or by email at crcl@dhs.hq.gov. When you communicate with us, please include the complaint number. In addition, it is very important to notify us of any changes in your address or telephone number.

We thank you for your complaint; inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. You can expect to receive a letter from us informing you how the Department concluded this matter.

Sincerely,

(b)(6)

Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Protected by Attorney-Client and Deliberative Process Privileges



**Homeland
Security**

July 22, 2014

MEMORANDUM FOR: Deputy Division Director, Investigative Support Unit
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement

Peter S. Vincent
Principal Legal Advisor
U.S. Immigration and Customs Enforcement

FROM:

(b)(6)

(b)(6)

Director, Compliance Branch
Office for Civil Rights and Civil Liberties

(b)(6)

Attorney Advisor
Office of General Counsel

SUBJECT: Complaint No. 14-04-ICE-0090

(b)(6)

The Office for Civil Rights and Civil Liberties (CRCL) has received a complaint alleging that U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) has violated an individual's civil rights or civil liberties during an enforcement operation on October 22, 2013. The purpose of this memorandum is to notify you of the complaint and to inform you that we are referring this complaint to the Office of Professional Responsibility for investigation. We request that the appropriate office within your component complete an inquiry into the enclosed complaint within 180 days of the date of this referral. Please see the attached Referred Complaint Assistance Form for guidance regarding this inquiry.

CRCL authorities. Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL is charged with investigating and assessing complaints against DHS employees and officials of abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion. The procedures for our investigations and the recommendations they may engender are outlined in DHS Management Directive 3500. We have received information concerning the above listed complaint that may fall under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1.

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Access to information. More particularly, 42 U.S.C. § 2000cc-1(d) grants this Office access to the “information, material, and resources necessary to fulfill the functions” of the office, including the complaint investigation function; Management Directive 3500 further authorizes CRCL to:

- “Notify[] the relevant DHS component(s) involved of the matter and its acceptance by CRCL, and whether the matter will be handled by CRCL or by the component organization”;
- “Interview[] persons and obtain[] other information deemed by CRCL to be relevant and require[e] cooperation by all agency employees”; and
- “Access[] documents and files that may have information deemed by CRCL to be relevant.”

Reprisals forbidden. In addition, 42 U.S.C. § 2000ee-1(e) forbids any Federal employee to subject a complainant or witness to any “action constituting a reprisal, or threat of reprisal, for making a complaint or for disclosing information to” CRCL in the course of this investigation.

This memorandum and the Referred Complaint Assistance Form are pursuant to these authorities.

Privilege and required transparency. Our communications with HSI personnel and documents generated during this review will be protected to the maximum extent possible by attorney-client and deliberative process privileges. Under 42 U.S.C. § 2000cc-1(f)(2), however, we submit quarterly reports to Congress—which are also posted on CRCL’s website—that provide, inter alia, “the type of advice provided and the response given to such advice;” and “a summary of the disposition of such complaints, the reviews and inquiries conducted, and the impact of the activities of such officer.”

When the inquiry is complete, please contact our Office with your component’s findings and recommendations. This Office will review the matter in accordance with our mission to assist DHS to secure the Nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with your staff on this matter, will notify you when we have closed this complaint, and will provide you with any recommendations resulting from this complaint.

If you have any questions concerning this referral, please do not hesitate to contact my colleague, (b)(6) by phone at 202-357-(b)(6) or by email at (b)(6)@dhs.gov.

Protected by Attorney-Client and Deliberative Process Privileges

Copies to:

(b)(6),(b)(7)(C)

Regional Operations Manager
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement
(b)(6),(b)(7)(C)@ice.dhs.gov

(b)(6),(b)(7)(C)

Acting Resident Agent in Charge
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement
(b)(6),(b)(7)(C)@ice.dhs.gov

Enclosures

Protected by Attorney-Client and Deliberative Process Privileges



REFERRED COMPLAINT ASSISTANCE

Assigned To:	U.S. Immigration and Customs Enforcement (ICE) Office of Professional Responsibility (OPR)
Requested From:	DHS Headquarters Office for Civil Rights and Civil Liberties (CRCL)
POC:	(b)(6),(b)(7)(C)
Date Referred to ICE:	July 22, 2014
Deadline to CRCL:	Within 180 days of the date above
CRCL Complaint No:	14-04-ICE-0090, (b)(6)

SYNOPSIS

On January 31, 2014, CRCL received an e-mail complaint from (b)(6) a trial attorney in the Immigration Unit of Brooklyn Defender Services, on behalf of (b)(6), an ICE detainee at Hudson County Jail in Kearny, New Jersey, regarding ICE HSI, (b)(6) correspondence states that Mr. (b)(6) I-213 identifies Mr. (b)(6) as a member of the MS-13 street gang, a claim that Mr. (b)(6) denies. Mr. (b)(6) was arrested by HSI during the course of an alleged warrantless night-time enforcement operation at his home in Westbury, New York (Nassau County) on October 22, 2013, and he alleges Fourth Amendment and regulatory violations during the course of the enforcement operation. Mr. (b)(6) states that during the enforcement operation, HSI officers asked him where (b)(6) was. Shortly after, Mr. (b)(6) claims his identification documents were viewed by HSI officers and that they told him he was in the country illegally. He explains that he was then arrested and taken to an ICE office where he was questioned. While at the office, Mr. (b)(6) claims he saw two ICE officers he had come in contact with previously when they detained him during the first week of September 2013 and then released him. Mr. (b)(6) believes that his allegedly faulty identification by HSI as a member of MS-13 was a result of his detainment in September, and that led to HSI violating his civil rights by arresting him for being a MS-13 member during the enforcement operation.

ISSUES/ALLEGATIONS

Issues/Allegations to be addressed in ICE's Fact Finding Report/ROI submitted to DHS CRCL:	• (b)(5),(b)(6) • • • •
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Law Enforcement Sensitive*



	•	(b)(5), (b)(6)
Information/Documents to be reviewed as part of investigation and attached to ICE Fact Finding Report/ROI submitted to DHS CRCL:	• • • • •	

*Protected by Attorney-Client and Deliberative Process Privileges
Law Enforcement Sensitive*

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-14-0151 14-04-ICE-0090 (b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2014-02-07 16:33	Update	Executive Summary	On January 31, 2014, CRCL received email correspondence from a public defender on behalf of an ICE detainee ("complainant") at Hudson County Jail in Kearny, New Jersey. The correspondence states that that the complainant was arrested by ICE during the cou	9467	(b)(6)	User Change
DhsComplaint	2014-02-07 16:29	Update	Days to Process	7	9467		User Change
DhsComplaint	2014-02-07 16:29	Update	Summary	On January 31, 2014, CRCL received email correspondence from (b)(6) a Trial Attorney in the Immigration Unit of Brooklyn Defender Services, on behalf of (b)(6) an ICE detainee at Hudson County Jail in Kearny, New Jersey, regardi	9467		User Change
DhsComplaint	2014-02-06 18:29	Update	Executive Summary	On January 31, 2014, CRCL received email correspondence from (b)(6) a Trial Attorney in the Immigration Unit of Brooklyn Defender Services, on behalf of (b)(6) an ICE detainee at Hudson County Jail in Kearny, New Jersey. Mr. (b)(6) corresponde	9467		User Change
DhsComplaint	2014-02-06	Update	Summary	On January 31, 2014, CRCL received email correspondence from (b)(6) a Trial Attorney in the Immigration Unit of Brooklyn Defender	9467		User Change

DHS-004-0000859

	18:29			Services, on behalf of (b)(6) an ICE detainee at Hudson County Jail in Kearny, New Jersey. Mr. (b)(6)		(b)(6)
DhsComplaint	2014-02-06 15:04	Create	Component Referenced	ICE	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Summary	On January 31, 2014, CRCL received email correspondence from (b)(6) a Trial Attorney in the Immigration Unit of Brooklyn Defender Services, on behalf of (b)(6) an ICE detainee at Hudson County Jail in Kearny, New Jersey. Mr. (b)(6)	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Executive Summary	On January 31, 2014, CRCL received email correspondence from (b)(6) a Trial Attorney in the Immigration Unit of Brooklyn Defender Services, on behalf of (b)(6) an ICE detainee at Hudson County Jail in Kearny, New Jersey. Mr. (b)(6)	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Days to Process	6	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Date to CRCL	01/31/2014	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Date to DHS	01/31/2014	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Date on Correspondence	01/31/2014	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Sender Type	Individual	9467	User Change
DhsComplaint	2014-02-06 15:04	Create	Method of Receipt	Email	9467	User Change
DhsComplaint	2014-02-06	Create	Entry Date	02/06/2014	9467	User

	15:04					(b)(6)	Change
DhsComplaintAction	2014-07-22 15:27	Create Document	14-04-ICE-0090 Referral Memo.pdf	115191			User Change
DhsComplaintAction	2014-07-22 15:27	Create Action Date	07/22/2014	115191			User Change
DhsComplaintAction	2014-07-22 15:27	Create Action	Referred	115191			User Change
DhsComplaintAction	2014-02-28 15:04	Create Comments	refer	112593			User Change
DhsComplaintAction	2014-02-28 15:04	Create Action Date	02/28/2014	112593			User Change
DhsComplaintAction	2014-02-28 15:04	Create Primary Assignment	(b)(6)	112593			User Change
DhsComplaintAction	2014-02-28 15:04	Create Action	Back from Officer	112593			User Change
DhsComplaintAction	2014-02-28 15:03	Create Action Date	02/28/2014	112592			User Change
DhsComplaintAction	2014-02-28 15:03	Create Action	Recommendation Review	112592			User Change
DhsComplaintAction	2014-02-26 16:55	Create Comments	Given to (b)(6) (b)(6)	112574			User Change
DhsComplaintAction	2014-02-26 16:55	Create Action Date	02/26/2014	112574			User Change
DhsComplaintAction	2014-02-26 16:55	Create Action	Notes	112574			User Change
			02/20/2014 Per (b)(6) (b)(6) open referred complaint. Check (b)(5),(b)(6),(b)(7)(A)				
DhsComplaintAction	2014-02-26 11:56	Create Comments	(b)(6)	112563			User Change
DhsComplaintAction	2014-02-26 11:56	Create Action Date	02/26/2014	112563			User Change
DhsComplaintAction	2014-02-26 11:56	Create Action	Awaiting Recommendation	112563			User Change
DhsComplaintAction	2014-02-26 11:56	Create Action Date	02/26/2014	112562			User Change
	2014-		14-04-ICE-0090				

DhsComplaintAction	02-26 11:56	Create Document	(b)(7)(A) 02.26.2014).pdf	112562	(b)(6)	User Change
DhsComplaintAction	2014- 02-26 11:56	Create Action	(b)(7)(A)	112562		User Change
DhsComplaintAction	2014- 02-24 15:57	Create Action Date	02/24/2014	112541		User Change
DhsComplaintAction	2014- 02-24 15:57	Create Action	(b)(7)(A)	112541		User Change
DhsComplaintAction	2014- 02-24 15:56	Create Comments	02/20/2014 Per (b)(6) (b)(6) open referred complaint. Check (b)(5),(b)(6),(b)(7)(A)	112540		User Change
			(b)(6)			
			(b)(6)			
DhsComplaintAction	2014- 02-24 15:56	Create Action Date	02/24/2014	112540		User Change
DhsComplaintAction	2014- 02-24 15:56	Create Action	Open a Complaint	112540		User Change
DhsComplaintDocument	2014- 07-22 15:27	Create Foreign Language	No	95903		User Change
DhsComplaintDocument	2014- 07-22 15:27	Create Dateentered	07/22/2014	95903		User Change
DhsComplaintDocument	2014- 07-22 15:27	Create Document 2	14-04-ICE-0090 Referred Form.pdf	95903		User Change
DhsComplaintDocument	2014- 07-22 15:27	Create Document 1	14-04-ICE-0090 Referral Letter.pdf	95903		User Change
DhsComplaintDocument	2014- 07-22 15:27	Create Document Type	Referral Letter	95903		User Change
DhsComplaintDocument	2014- 02-25 15:45	Create Foreign Language	No	93537		User Change
DhsComplaintDocument	2014- 02-25 15:45	Create Dateentered	02/25/2014	93537		User Change
DhsComplaintDocument	2014- 02-25 15:45	Create Document 1	01.31.2014 14-04- ICE-0090.pdf	93537		User Change
DhsComplaintDocument	2014- 02-25 15:45	Create Document Type	Acknowledgement Letter	93537		User Change
DhsComplaintDocument	2014- 02-06 15:06	Create Foreign Language	No	93291		User Change

DhsComplaintDocument	2014-02-06 15:06	Create	Document 3	(b)(6) Encounter Record.pdf	93291	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:06	Create	Document 1	(b)(6) Detention History.pdf	93291	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:06	Create	Document 2	(b)(6) Comments Record.pdf	93291	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:06	Create	Dateentered	02/06/2014	93291	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:06	Create	Document Type	Miscellaneous Material/Other	93291	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:06	Delete			93290	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:05	Create	Foreign Language	No	93290	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:05	Create	Document 1	01.31.2014 (b)(6) Atty (b)(6) (b)(6) pdf	93290	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:05	Create	Dateentered	02/06/2014	93290	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:05	Create	Document Type	Incoming Letter	93290	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:05	Create	Foreign Language	No	93289	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:05	Create	Document 1	01.31.2014 (b)(6) Atty (b)(6) (b)(6) pdf	93289	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:05	Create	Dateentered	02/06/2014	93289	(b)(6)	User Change
DhsComplaintDocument	2014-02-06 15:05	Create	Document Type	Incoming Letter	93289	(b)(6)	User Change
DhsComplaintIssue	2014-02-06 18:21	Create	Situation	DHS law enforcement activity	14954	(b)(6)	User Change
DhsComplaintIssue	2014-02-06 18:21	Create	Redirect to Subject	No	14954	(b)(6)	User Change
DhsComplaintIssue	2014-02-06 18:21	Create	Incident Location	(b)(6)	14954	(b)(6)	User Change
DhsComplaintIssue	2014-02-06 18:21	Create	Ongoing	No	14954	(b)(6)	User Change
DhsComplaintIssue	2014-02-06 18:21	Create	City	Westbury	14954	(b)(6)	User Change

DhsComplaintIssue	2014-02-06 18:21	Create	Incident Date	10/22/2013	14954	(b)(6)	User Change
DhsComplaintIssue	2014-02-06 18:21	Create	Primary Issue	Yes	14954		User Change
DhsComplaintIssue	2014-02-06 18:21	Create	State	New York - NY	14954		User Change
DhsComplaintIssue	2014-02-06 18:21	Create	Incident Location Type	Residence	14954		User Change
DhsComplaintIssue	2014-02-06 18:21	Create	(b)(5)	(b)(5)	14954		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	First Name	(b)(6)	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	City	Brooklyn	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	State	New York - NY	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	Contact Type	Sender	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	Address Line 2	177 Livingston Street, (b)(6)	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	Address Line 1	Brooklyn Defender Services	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	Last Name	(b)(6)	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	Email	(b)(6)	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	Zip Code	11201	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:20	Create	Phone	(718) 254-0700, ext. (b)(6)	25045		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	First Name	(b)(6)	25044		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	City	Kearney	25044		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	State	New Jersey - NJ	25044		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	Contact Type	On Behalf Of	25044		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	Address Line 2	30-35 Hackensack Ave.	25044		User Change

DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	Address Line 1	Hudson County Jail	25044	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	Last Name	(b)(6)	25044		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	Zip Code	07032	25044		User Change
DhsComplaintPartiesInvolved	2014-02-06 18:19	Create	Alien Registration	(b)(6)	25044		User Change



**Homeland
Security**

21 de abril 2014

(b)(6)

Harrisburg, VA 22801

Ref.: Reclamo N.º 14-06-ICE-0142

Estimada Sra.

(b)(6)

La Oficina de Derechos Civiles y Libertades Civiles (CRCL) del Departamento de Seguridad Nacional ha recibido su reclamo el 19 de marzo 2014. La oficina CRCL revisa y evalúa la información concerniente a los abusos de los derechos y libertades civiles, y la discriminación por perfil racial, étnico o religioso por parte de empleados o agentes del Departamento de Seguridad Nacional.

Damos suma importancia a los asuntos que usted menciona y deseamos informarle cómo nuestra oficina gestionará su reclamo. Inicialmente, enviaremos su reclamo a la Oficina DHS del Inspector General para su evaluación. Si el Inspector General se niega a aceptar el reclamo, el mismo será enviado a la oficina CRCL para proporcionar una respuesta adecuada. Una vez que la oficina CRCL inicia un reclamo formal, nosotros o la oficina del DHS correspondiente conducirá una investigación sobre los asuntos que usted menciona. La oficina CRCL se comunicará con usted para informarle el curso anticipado de la investigación de su reclamo, y le notificará los resultados eventualmente.

Por favor, tenga en cuenta que nuestro proceso de reclamos no proporciona a los individuos derechos o recursos legales o procesales. En consecuencia, la oficina CRCL no puede obtener recursos legales o reparación por daños y perjuicios en su nombre. En su lugar, utilizamos los reclamos como el suyo para identificar y abordar problemas en las políticas del DHS y su implementación. Si considera que han violado sus derechos, le sugerimos consultar con un abogado. Podría haber limitaciones de tiempo que rigen con qué rapidez debe actuar para proteger sus intereses.

Si aún no lo ha hecho, por favor proporcione a la oficina del CRCL su información completa de contacto, incluido el número de teléfono, correo electrónico y dirección postal, si está disponible. Puede comunicarse con la oficina CRCL por correo electrónico a la dirección CRCLCompliance@hq.dhs.gov, por fax al 202-401-4708, o por correo postal a la siguiente dirección:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

Para obtener información adicional sobre las funciones y responsabilidades de la oficina CRCL, visite nuestro sitio web en la dirección <http://www.dhs.gov/crcl>.

Si está presentando un reclamo en representación de otra persona, por favor proporcione a la oficina CRCL un consentimiento expreso por escrito de la persona si desea recibir información sobre la resolución de este reclamo. Cuando se comunique con la oficina CRCL sobre este asunto, por favor incluya el número de reclamo que aparece al comienzo de esta carta.

Para su información, la ley federal prohíbe las represalias que los empleados federales pudieran tomar contra cualquiera que presente una denuncia o revele información a CRCL. 42 U.S.C. § 2000ee-1(e). Si cree que Ud. o alguien que usted conozca es víctima de represalias, tenga a bien comunicarse con nosotros de manera inmediata.

Nuevamente, le damos las gracias por comunicarse con la Oficina de Derechos Civiles y Libertades Civiles. Las comunicaciones como la suya son esenciales para que podamos cumplir con nuestra función de respaldar la misión del Departamento de proteger a la nación preservando, al mismo tiempo, las libertades individuales, la justicia y la igualdad ante la ley. Esperamos poder colaborar junto a usted para abordar sus inquietudes. Si tiene preguntas, comuníquese con la oficina CRCL por escrito o por teléfono al 866-644-8360 o al 866-644-8361 (línea TTY para personas con problemas de audición o del habla).

Atentamente,

(b)(6)

Director, Departamento de Cumplimiento
Oficina de Derechos Civiles y Libertades Civiles
Departamento de Seguridad Nacional de EE.UU.

Copiar:

(b)(6)

New Bridges Immigrant Resource Center

(b)(6)

Harrisonburg, VA 22801

Declaración de la Ley de Privacidad

Autoridad: El Código de Estados Unidos, Título 6, Artículo 345, y Título 42, Artículo 2000ee-1, autoriza la recopilación de esta información.

Propósito: El Departamento de Seguridad Nacional (Department of Homeland Security; DHS) utilizará esta información para evaluar e investigar reclamos e información del público sobre posibles violaciones de derechos o libertades civiles relacionadas a empleados, programas o actividades del DHS.

Usos de rutina: Esta información puede ser divulgada y utilizada por personal y contratistas dentro del DHS que necesiten obtener acceso a ella con el fin de evaluar su reclamo. Asimismo, la Oficina de Derechos Civiles y Libertades Civiles del DHS (CRCL) podría compartir su información, según fuera necesario, con ciertas agencias gubernamentales pertinentes fuera del ámbito del DHS, o con entidades no gubernamentales, con el fin de abordar su reclamo, o de conformidad con lo publicado en el Sistema de Registros de los Archivos del Departamento de Seguridad Nacional/ALL-029 Oficina de Derechos Civiles y Libertades Civiles.

Divulgación: Proporcionar esta información a la Oficina CRCL es de carácter voluntario; sin embargo, no proporcionar la información solicitada podría demorar o impedir a CRCL evaluar e investigar su reclamo de manera adecuada. Si fuera necesario, CRCL también podría solicitarle información adicional con el fin de determinar la manera adecuada de dar curso a sus inquietudes.

Para obtener más información sobre la Ley de Privacidad, consulte el sitio web www.dhs.gov/privacy.

From: CRCL
To: CRCL Compliance
Subject: FW: complaint
Date: Thursday, March 20, 2014 10:05:22 AM
Attachments: crcl-complaint-submission-form-english.pdf

For review: (b)(6)

From: (b)(6)@newbridgesirc.org]
Sent: Wednesday, March 19, 2014 2:39 PM
To: CRCL
Subject: complaint

see attached.



Department of Homeland Security (DHS)
Office for Civil Rights and Civil Liberties

Civil Rights Complaint

Fillable Version (last modified 3/15/2011)

The purpose of this form is to assist you in filing a civil rights/civil liberties complaint with the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) regarding DHS programs and activities. This form is not intended to be used for complaints about employment with DHS. You are not required to use this form to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested in the form.

CRCL Mission:

The DHS Office for Civil Rights and Civil Liberties (CRCL) supports the Department as it secures the nation while preserving individual liberty, fairness, and equality under the law. We investigate claims of civil rights and civil liberties abuses, to help DHS improve protections and programs.

Do you have a DHS civil rights or civil liberties complaint? If you believe that DHS personnel or a DHS program or activity has violated your rights, we want to hear from you. Fill out this form, or write us an email or letter.

In connection with a DHS program, activity, or policy, have you experienced:

- Discrimination based on your race, ethnicity, national origin (including language proficiency), religion, gender, or disability? (Note: do not use this form to make a complaint about employment discrimination; see www.dhs.gov/eeo.)
- Denial of meaningful access to DHS or DHS-supported programs, activities, or services due to limited English proficiency?
- Violation of your rights while in immigration detention or as a subject of immigration enforcement?
- Discrimination or inappropriate questioning related to entry into the United States?
- Violation of your right to due process, such as your right to timely notice of charges or access to your lawyer?
- Violation of the Violence Against Women Act's confidentiality requirements?
- Physical abuse or any other type of abuse inflicted upon you?
- Any other civil rights or civil liberties violation related to a DHS program or activity?

Notes on Confidentiality and Anonymity:

- A)** You may remain anonymous by not filling in your name, below. However, CRCL may not be able to investigate your complaint unless you provide enough information to conduct an investigation.
- B)** Disclosure of the information you provide, including your identity, is on a "need-to-know" basis, and is discussed in the Privacy Statement at the end of this document. **IF YOU CHECK THE BOX BELOW, WE WILL NOT DISCLOSE YOUR IDENTITY TO OTHER OFFICES, IN OR OUT OF DHS (unless it is necessary for investigation of criminal misconduct).** Note, however, that this will in many situations make it very difficult or impossible, practically speaking, for us to investigate the allegations you raise.
- ☐ I do NOT want CRCL to disclose my name to other offices, and understand this decision will often make it impossible for an investigation to take place.
- C)** Reprisal against complainants to CRCL is unlawful; if you feel you have been a victim of reprisal, CALL US. 1-866-644-8360.

Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① Information about the person who experienced the civil rights/civil liberties violation

(fill in what you can)

Name: (b)(6) (b)(6)
First and Middle Last

Phone #: Cell: _____ Home: _____ Work: _____

Please note that we may contact you at the provided numbers.

Mailing Address: (b)(6) Harrisonburg VA, 22801
PO Box or Street address City State Zip

Date of Birth: (b)(6) Email (optional): _____

Alien Registration #. (if you have one and it's available): _____

☐ Check here if you are in detention now.

Which facility? _____
Facility name Facility address

☐ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information _____

② Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.

Name: (b)(6) (b)(6) (b)(6)
First Last Job title

Organization (if any): New Bridges Immigrant Resource Center

Phone #: Cell: _____ Home: _____ Work: 540 (b)(6)

Mailing Address: (b)(6) Harrisonburg VA, 22801
PO Box or Street address City State Zip

③ What happened? Describe your complaint. Give as much detail about your experience as possible.

On Monday the 10th at 9:30 a.m. I was interviewed by an ICE officer as to the whereabouts of a fugitive of justice, who happens to be the brother of our family friends (b)(6). I fully cooperated and disclosed that I had no knowledge of the whereabouts of her brother, (b)(6). The next morning a new officer, of Hispanic origin, arrived at my home at 6 am, knocked on the door and as I began to open, pushed open the door and rushed in with about 8 other officers without asking my permission. This officer began to treat me in a very disrespectful manner, using inappropriate language, insulting me and my family, threatening, in front of my children, to deport me and jail my husband, who is a US Citizen, and send our kids to social services. He continued to harass me and my husband alternately until approximately 8:30 a.m., hanging handcuffs in our faces. I explained to him that I was in process of legalizing my migration status and offered to show paperwork that we had submitted to USCIS. He said "those papers were worthless, he could tear them up and kick my ass out of the country whenever he felt like it." He proceeded to take me outside, saying "he had had enough and was taking me to jail" and continued to treat me disrespectfully in front of all our neighbors. I continually told him that I had nothing to hide and was telling the complete truth. I asked for the officer's name and he refused it saying "you don't need to know my name, now you work for me, you give me the information I'm asking for and I won't throw you into jail."

This traumatized my children and they cried for days not wanting to go to school for fear I wouldn't be there upon their return. Their teacher called me asking about what was happening to our girls as their attitudes were noticeably changed in school. They entered my house without permission or a warrant and used psychological violence, which is just as powerful as physical violence, to try and extort information for a case that I had absolutely nothing to do with. I feel that this psychological violence violated my civil rights and is inappropriate for an officer representing the United States of America, which is a great country, and deserves higher standards of respect and human dignity than what this officer has represented.

All of these actions were taken without having any reason to believe that I was hiding a fugitive of justice. My only "crime" was

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

march 11, 2014

Where did this happen?

Place *(for example, name the detention facility, airport, other)*: my home

City: Harrisonburg

State or Country: VA

④ Who treated you unfairly?

An employee, contractor, or officer of *(check as many as apply)*:

☐ Citizenship and Immigration Services (USCIS)

☐ Customs and Border Protection (CBP)*

☐ Customs Officer

☐ Border Patrol Agent

☐ Federal Emergency Management Agency (FEMA)

☒ Immigration and Customs Enforcement (ICE)

☐ Secret Service (USSS)

☐ Transportation Security Administration (TSA)*

☐ U.S. Coast Guard (USCG)

☐ Other DHS program *(specify)* :

☐ Not sure which DHS office

☐ Non-DHS employee working under the authority of DHS (e.g., 287g officer)

specify: _____

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): My husband and children

Mailing Address: (b)(6) Harrisonburg, VA, 22801

PO Box or Street address

City

State or Country

Zip

Phone No.: _____ Email: _____

Names (or other information, e.g., agency): other officers who accompanied interrogating officer

Mailing Address: _____

PO Box or Street address

City

State or Country

Zip

Phone No.: _____ Email: _____

Continue on an additional page, if needed.

- ⑥ **Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?**

☒ **Yes:** Agency/Office/Court office of inspector general

Date: 3/19/2014

☐ **No**

If so, has anyone responded to your complaint?

☐ **Yes** ☒ **No**

If Yes, describe what has been done to respond to your complaint:

Continue on an additional page, if needed.

- ⑦ **Is there any other information you want us to know about or consider?**

Continue on an additional page, if needed.

- ⑧ **If you are not proficient in English, please indicate the language in which you prefer we communicate with you.**
spanish
-

- ⑨ **If you have problems understanding this form or any other question, contact CRCL:**

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ **To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.**

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov.

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

Continue on this page, if needed.

Continue on this page, if needed.

From: [DHSOIGHotlineMailbox](#)
To: [JOINT INTAKE](#)
Cc: [CRCLCompliance](#)
Subject: DHS OIG C1406755
Date: Thursday, March 20, 2014 7:43:53 PM
Attachments: [C1406755 SummaryReport.pdf](#)

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information is furnished for whatever administrative action or inquiry you consider appropriate. Should your office take any administrative or personnel action in response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)
To:
Cc: CRCLCompliance
Subject: RE: complaint
Date: Friday, March 21, 2014 5:57:57 PM

(b)(6)

On the email correspondence sent to CRCL by the New Bridges Immigrant Resource Center on 03/20/2014 on behalf of (b)(6) the text for item 3 of the complaint form does not display

Non Responsive

Below is the text in its entirety. Please also save this instant email as a CRCL internal email with the filename **03.21.2014 (b)(6) CRCL internal email**. If you have questions, please let me know.

Text from Item 3 of complaint form:

On Monday the 10th at 9:30 a.m. I was interviewed by an ICE officer as to the whereabouts of a fugitive of justice, who happens to be the brother of our family friends (b)(6) y (b)(6) I fully cooperated and disclosed that I had no knowledge of the whereabouts of her brother. (b)(6) The next morning a new officer, of Hispanic origin, arrived at my home at 6 am, knocked on the door and as I began to open, pushed open the door and rushed in with about 8 other officers without asking my permission. This officer began to treat me in a very disrespectful manner, using inappropriate language, insulting me and my family, threatening, in front of my children, to deport me and jail my husband, who is a US Citizen, and send our kids to social services. He continued to harass me and my husband alternately until approximately 8:30 a.m., hanging handcuffs in our faces. I explained to him that I was in process of legalizing my migration status and offered to show paperwork that we had submitted to USCIS. He said "those papers were worthless, he could tear them up and kick my ass out of the country whenever he felt like it." He proceeded to take me outside, saying "he had had enough and was taking me to jail" and continued to treat me disrespectfully in front of all our neighbors. I continually told him that I had nothing to hide and was telling the complete truth. I asked for the officer's name and he refused it saying "you don't need to know my name, now you work for me, you give me the information I'm asking for and I won't throw you into jail."

This traumatized my children and they cried for days not wanting to go to school for fear I wouldn't be there upon their return. Their teacher called me asking about what was happening

to our girls as their attitudes were noticeably changed in school. They entered my house without permission or a warrant and used psychological violence, which is just as powerful as physical violence, to try and extort information for a case that I had absolutely nothing to do with. I feel that this psychological violence violated my civil rights and is inappropriate for an officer representing the United States of America, which is a great country, and deserves higher standards of respect and human dignity than what this officer has represented.

All of these actions were taken without having any reason to believe that I was hiding a fugitive of justice. My only "crime" was being a friend of a family who happened to have a relative who did something illegal in a foreign land. Does ICE treat all friends of family members of fugitives of justice in this way? Are ICE officers allowed to enter and search my home without a warrant or my permission? Is being close friends of a family probable cause and give the ICE the right to use psychological violence and traumatize small children as a tool for extortion? Is asking me for my legal papers, which has nothing to do with the case and appears to clearly violate the constitutional order of law, and then using my status to extort and threaten me in the search for information about a third party, a legal practice? I believe these officers asked about my legal status because they had a premeditated intent to use this information to obtain under duress what they wanted. Are ICE officers allowed to do all of this in anonymity, refusing to identify themselves when asked, while showing no badges or form identification to establish their authority or identity? This clearly suggests a climate of impunity, illegality and unconstitutionality within the ICE agency and among its officers. I would encourage a review of agency tactics, which appear more suited for psychological torture and interrogation rather than gathering information from innocent and upstanding members of society. I hope that in the future ICE can figure out a way to carry out its mission without trampling upon the human rights and dignity of innocent bystanders in the process.

Thanks,

(b)(6)

Policy Advisor

Office for Civil Rights and Civil Liberties

U.S. Department of Homeland Security

202-357-

(b)(6)

(b)(6)

@hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email.

From: CRCLCompliance

Sent: Thursday, March 20, 2014 11:17 AM

To: (b)(6)

Cc: CRCLCompliance

Subject: FW: complaint

Hi

(b)(6)

Please process this correspondence as a new Contact.

Please save the incoming correspondence with the filename **03.19.2014** (b)(6)

As the Sender, please input a record for (b)(6) and list the email address below.
Write in the Sender Party Involved Comments field and a Notes entry on the routing sheet that the complaint form identifies a (b)(6) (b)(6) of New Bridges Immigrant Resource Center, as the representative of Ms. (b)(6) and that the email was sent by (b)(6) of that organization. (It's unclear if (b)(6) are the same individual.)

Thank you.

(b)(6)
Policy Advisor
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
202-357- (b)(6)
(b)(6) @hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email.

From: CRCL
Sent: Thursday, March 20, 2014 10:05 AM
To: CRCLCompliance
Subject: FW: complaint

For review. (b)(6)

From: (b)(6) @newbridgesirc.org]
Sent: Wednesday, March 19, 2014 2:39 PM
To: CRCL
Subject: complaint

see attached.

From: CRCL_DHSOIGHotline
To: (b)(6) CRCL_DHSOIGHotline
Cc: (b)(6)
Subject: RE: CRCL Complaint Number 14-06-ICE-0142 - Box 1 Email
Date: Tuesday, April 22, 2014 7:32:12 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)
Sent: Friday, April 18, 2014 3:35 PM
To: CRCL_DHSOIGHotline
Cc: (b)(6)
(b)(6)
Subject: CRCL Complaint Number 14-06-ICE-0142

(b)(7)(A)

Summary of new complaint for your review:

On March 19, 2014, CRCL received email correspondence from (b)(6) of New Bridges Immigrant Resource Center (NBIRC), providing a complaint form that NBIRC completed on behalf of (b)(6). In a first-person account, Ms. (b)(6) alleges that on March 11, 2014, ICE officers entered her home in Harrisonburg, Virginia, without permission or a warrant, and that one ICE officer treated her and her family in a harassing, threatening manner. The previous day, March 10, 2014, Ms. (b)(6) was interviewed by an ICE officer as to the whereabouts of a fugitive who is the brother of a family friend of hers. Ms. (b)(6) states that she fully cooperated and said that had no knowledge of the whereabouts of that fugitive. At about 6 a.m. on March 11, 2014, another ICE officer knocked on the door of her home and, as Ms. (b)(6) began to open the door, pushed open the door and entered the home with about eight other ICE officers, without Ms. (b)(6) permission. Ms. (b)(6) alleges that the officer who had knocked on the door threatened to deport her and jail her husband, a U.S. Citizen, and to send their children to social services. Ms. (b)(6) alleges the officer harassed her and

her husband until approximately 8:30 a.m. that she was asked for paperwork regarding her immigration status and that she told the ICE officer she was in the process of legalizing her immigration status and offered to show the paperwork she had submitted to USCIS. The officer reportedly responded, "Those papers are worthless..." Ms. (b)(6) states she asked the officer for his name, and he refused to provide it. Ms. (b)(6) indicates that ICE's raid of her home by ICE officers was connected to their search for the aforementioned fugitive. She claims that the ICE officers did not identify themselves or show identification when they entered her home and treated them in an inappropriate, intimidating manner.

(b)(6)

Office for Civil Rights and Civil Liberties
Department of Homeland Security

202-357-(b)(6)

(b)(6)

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email

TO: (b)(6)
FROM: (b)(6)
DATE: June 18, 2014
RE: 14-06-ICE-0142 (b)(6) Interview Summary

On Wednesday, June 18, 2014 from 1PM to 3:15PM, (b)(6) conducted an interview with (b)(6) the complainant of CRCL Complaint 14-06-ICE-0142. (b)(6) served as the interpreter. Below is a summary of the events as Ms. (b)(6) told them in the interview.

Why Ms. (b)(6) filed this complaint

Ms. (b)(6) states that the events that transpired violated her person and feelings.

Summary of Events

Monday, March 10, 2014

(b)(6) reports that she received a phone call (1703 (b)(6)) from a man at around 9AM. The conversation was conducted in Spanish and the man had a Puerto Rican accent. On the phone, the man said that he was calling from the police station and wanted to talk to Ms. (b)(6) about (b)(6). Ms. (b)(6) reports that he did not mention that he was from Immigration and Customs Enforcement (ICE). (b)(6) is the 11-year-old daughter of (b)(6) and (b)(6) friends of Ms. (b)(6). (b)(6) was detained at approximately 6AM that morning and (b)(6) gave the officers Ms. (b)(6) name as someone she could go stay with since she was friends with her parents and used to babysit (b)(6). Ms. (b)(6) told the officer that she was at work but was on her way home and that he could meet her at her home. The phone call lasted around 10 minutes.

When Ms. (b)(6) returned to her home at (b)(6) Harrisonburg, Virginia 22801, there was one black car and four male officers. The officers wear all black and Ms. (b)(6) does not remember them showing her any identification. The car had no distinguishing marks and no siren. The officers exited the car and a Spanish-speaking officer told Ms. (b)(6) that he was the one who called her and they wanted to interview her. The officers asked if they could come inside and Ms. (b)(6) allowed them in. They remained standing during her interview.

Ms. (b)(6) said that the Spanish-speaking officer asked about her immigration status and paperwork as well as her relationship with (b)(6). When the officer found out that Ms. (b)(6) was not a family member, he told her that they could not leave the girl with her. The officer also showed Ms. (b)(6) a photograph of (b)(6) and asked if she knew where he was. (b)(6) is (b)(6) brother who they alleged was wanted for murder. Ms. (b)(6) reports that she said she did not know where he was or that he was wanted for murder and had no relationship or friendship with Mr. (b)(6). Ms. (b)(6) is not sure why they questioned her about Mr. (b)(6). While she was questioned, the three non-Spanish speaking officers went upstairs and allegedly searched the home. No one was home. Ms. (b)(6) reports not feeling uncomfortable with this search because "[they] have nothing to hide." When the officers left, Ms. (b)(6) reports that they asked her who she lived with and told her that they would return to interview her husband. The visit lasted for approximately 15 minutes.

Currently, (b)(6) with her parents. (b)(6) was released later that day with a tracking device.

Tuesday, March 11, 2014

On the morning of March 11, 2014, Ms. (b)(6) reports that she was sitting near her front door waiting for her ride to drive her to work. Ms. (b)(6) husband and her daughters (age 7 and age 10) were upstairs sleeping. The wooden door was open but the glass door was closed. Ms. (b)(6) reports that at approximately 6AM, approximately 10 law enforcement officers approached the front door. They arrived in three cars: one car was parked in the parking lot, one parked across the street, and one parked behind the apartment. One car was black; one car was white; and one car was a dark blue van/station wagon. There were no distinguishing marks on the cars. The officers all wore black jackets that said ICE and she did not see any nametags.

When Ms. (b)(6) saw the officers approaching the home, she was not worried because she thought they were coming to interview her husband. Ms. (b)(6) reports that an "Argentinian officer" pushed the door open and told her, in Spanish, to go sit in her living room. The officers filed into the apartment one after another. Ms. (b)(6) reports that the Argentinian officer was (b)(6),(b)(7)(C) Ms. (b)(6) states that the Argentinian officer works in the area because she has seen him in the area to arrest someone else. She claims that none of the officers identified themselves and she does not know any of their names. She states that only the Argentinian officer questioned her and her husband and that the other officers did not speak Spanish.

Ms. (b)(6) states that the officers surrounded her in the living room and one of the officers went in the kitchen (though she reports he just stood there). The Argentinian officer began questioning Ms. (b)(6) about (b)(6) to which she replied that she had did not know him or where he was. Ms. (b)(6) believes that they visited her home because they believed he may have been hiding there. Ms. (b)(6) reports that the Argentinian officer repeatedly told her that he was going to arrest her and she kept saying, "Why?" Ms. (b)(6) alleges that the Argentinian officer asked Ms. (b)(6) about her immigration status and when she told him her paperwork was being processed, he told her that he could "tear up [her] paperwork [and] send [her] back to [her] country." After about five minutes, Ms. (b)(6) husband woke up and went downstairs. Ms. (b)(6) states that she was questioned in her home for approximately 10-20 minutes minutes before the officer told her to come outside because he was going to arrest her.

Ms. (b)(6) reports that she walked outside with the Argentinian officer and approximately three to four other officers. The rest of the officers stayed inside with her husband. The Argentinian officer walked inside and outside the house to question Ms. (b)(6) and her husband. Ms. (b)(6) alleges that the officer spat on her face when he spoke to her. She claims that he kept asking questions about (b)(6) and said "horrible things" about her personal life, including questioning who was the real father of her children and threatening to take her daughters to social services. Ms. (b)(6) claims that her daughters are "traumatized" because while they stayed in their room upstairs and no one came up to see them, they could here what the officer was saying to her through the window. Ms. (b)(6) states that he brandished handcuffs in front of her face and threatened to arrest her. Later, neighbors and her work-ride called to ask what had happened because they had seen the officers outside of her home. While outside, Ms. (b)(6) states that the Argentinian officer grabbed her phone and started looking through the phone numbers and messages. Ms. (b)(6) said that the officer told her to call one of

the phone numbers that did not have name associated with it and questioned her about the other phone numbers.

Ms. (b)(6) alleges that this questioning and "harassment" continued until 8:30AM. Ms. (b)(6) states that when they left, the Argentinian officer said they were going to come back and call her everyday unless they found the person they were looking for, (b)(6). He threatened to take (b)(6) her husband, and Ms. (b)(6) to jail.

Wednesday, March 12, 2014

Ms. (b)(6) alleges that on March 12, 2014, she began receiving a number of phone calls from the Argentinian officer beginning at 10AM (1540 (b)(6)). She claims that her neighbors told her that they saw him drive by her home before 10AM but she was not home. Ms. (b)(6) states that she received many phone calls but does not know how many and did not answer many of them because she was scared. Ms. (b)(6) states that during these phone calls, the Argentinian officer would harass her and ask about (b)(6). Ms. (b)(6) states that these phone calls stopped in March once she told him that she had an attorney and that he should speak to her attorney.

Thursday, March 13, 2014

Ms. (b)(6) states that she believes (b)(6) was arrested in Texas on March 13th. She learned this information from (b)(6) his sister.

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-14-0251 14-06-ICE-0142

(b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2014-03-25 13:42	Create	Entry Date	03/25/2014	9568	(b)(6)	User Change
DhsComplaint	2014-03-25 13:42	Create	Method of Receipt	Email	9568		User Change
DhsComplaint	2014-03-25 13:42	Create	Date on Correspondence	03/19/2014	9568		User Change
DhsComplaint	2014-03-25 13:42	Create	Date to DHS	03/19/2014	9568		User Change
DhsComplaint	2014-03-25 13:42	Create	Date to CRCL	03/19/2014	9568		User Change
DhsComplaint	2014-03-25 13:42	Create	Days to Process	6	9568		User Change
DhsComplaint	2014-03-25 13:42	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	9568		User Change
DhsComplaint	2014-03-25 13:42	Create	Summary	On March 19, 2014 CRCL received email correspondence from (b)(6) of New Bridges Immigrant Resource Center on behalf of (b)(6) (b)(6) alleges that on March 11, 2014 an Immigration and Customs Enforcement (ICE) officer knocke	9568		User Change
DhsComplaint	2014-03-25 13:42	Create	Component Referenced	ICE	9568		User Change
DhsComplaint	2014-03-25 13:42	Create	External Tracking Number	C14-ICE-WFO-06755	9568		User Change
DhsComplaint	2014-03-25 13:56	Update	Summary	On March 19, 2014 CRCL received email correspondence from (b)(6) of New Bridges Immigrant Resource Center, on behalf of (b)(6) Mrs. (b)(6) alleges that on March 11, 2014	9568		User Change

DHS-004-0000886

			an Immigration and Customs Enforcement (ICE) officer knocked		(b)(6)	
			DRAFT SUMMARY: On March 19, 2014 CRCL received email correspondence from (b)(6) of New Bridges Immigrant Resource Center, on behalf of (b)(6) Mrs. (b)(6) alleges that on March 11, 2014 an Immigration and Customs Enforcement (IC			
DhsComplaint	2014-03-25 14:01	Update Summary		9568		User Change
DhsComplaint	2014-04-15 09:44	Update Days to Process	27	9568		User Change
DhsComplaint	2014-04-15 09:44	Update Summary	On March 19, 2014, CRCL received email correspondence from (b)(6) of New Bridges Immigrant Resource Center (NBIRC), providing a complaint form that NBIRC completed on behalf of (b)(6) in a first-person account, Ms. (b)(6) alleges t	9568		User Change
DhsComplaintAction	2014-07-24 13:29	Create Action	Notes	115247		User Change
DhsComplaintAction	2014-07-24 13:29	Create Comments	Conducted an interview of the complainant with intern (b)(6) Notes will be uploaded shortly.	115247		User Change
DhsComplaintAction	2014-07-24 13:29	Create Action Date	06/18/2014	115247		User Change
DhsComplaintAction	2014-04-18 12:39	Create Action	Notes	113255		User Change
DhsComplaintAction	2014-04-18 12:39	Create Action Date	04/18/2014	113255		User Change
	2014-		On 03/27/2014, discussed at case opening meeting. On 03/31/2014, hard copy given to (b)(6) for			

DhsComplaintAction	04-18 12:39	Create	Comments	complaint assignment recommendation. On 04/18/2014, (b)(6) assigned it to (b)(6)	113255	User Change
DhsComplaintAction	2014-04-18 12:40	Create	Action	Notes	113256	User Change
DhsComplaintAction	2014-04-18 12:40	Create	Action Date	04/18/2014	113256	User Change
DhsComplaintAction	2014-04-18 12:40	Create	Comments	(b)(6) tasked to (b)(6) to handle complaint opening process and to send Spanish language acknowledgement letter to (b)(6) with copy to (b)(6)	113256	User Change
DhsComplaintAction	2014-04-18 15:11	Create	Action	Open a Complaint	113284	User Change
DhsComplaintAction	2014-04-18 15:11	Create	Action Date	04/18/2014	113284	User Change
DhsComplaintAction	2014-04-18 15:11	Create	Comments	03/27/2014 Per (b)(6) (b)(6) (b)(5),(b)(7)(A) Interview the complainant. (b)(5),(b)(7)(A)	113284	User Change
DhsComplaintAction	2014-04-22 11:59	Update	Comments	03/27/2014 Per (b)(6) (b)(6) (b)(5),(b)(7)(A) Interview the complainant. (b)(5),(b)(7)(A)	113284	User Change
DhsComplaintAction	2014-04-22 12:00	Create	Action Date	04/22/2014	113356	User Change
DhsComplaintAction	2014-04-22 12:00	Create	Action	Sent to IG	113356	User Change
	2014-					User

DhsComplaintAction	04-22 12:00	Update	Action Date	04/18/2014	113356	(b)(6)	Change
DhsComplaintAction	2014- 04-22 12:01	Create	Action Date	04/22/2014	113357		User Change
DhsComplaintAction	2014- 04-22 12:01	Create	Document	14-06-ICE-0142 (OIG Response 04.22.2014).pdf	113357		User Change
DhsComplaintAction	2014- 04-22 12:01	Create	Action	IG Declines/Back from IG	113357		User Change
DhsComplaintAction	2014- 04-22 12:01	Create	Action Date	04/22/2014	113358		User Change
DhsComplaintAction	2014- 04-22 12:01	Create	Action	Awaiting Recommendation	113358		User Change
DhsComplaintAction	2014- 04-22 12:01	Create	Comments	03/27/2014 Per (b)(6) (b)(6) (b)(5),(b)(7)((b)(5),(b)(7)(A) Interview the complainant. (b)(5),(b)(6),(b)(7)(A)	113358		User Change
DhsComplaintAction	2014- 04-25 12:32	Create	Action Date	04/25/2014	113496		User Change
DhsComplaintAction	2014- 04-25 12:32	Create	Action	Recommendation Review	113496		User Change
DhsComplaintAction	2014- 04-25 12:33	Create	Action Date	04/25/2014	113497		User Change
DhsComplaintAction	2014- 04-25 12:33	Create	Action	Back from Officer	113497		User Change
DhsComplaintAction	2014- 04-25 12:33	Create	Comments	short form	113497		User Change
DhsComplaintAction	2014- 04-25 12:33	Create	Primary Assignment	(b)(6)	113497		User Change
DhsComplaintAction	2014- 04-29 14:41	Create	Comments	Given to (b)(6) (b)(6)	113561		User Change
DhsComplaintAction	2014- 04-29 14:41	Create	Action Date	04/29/2014	113561		User Change
DhsComplaintAction	2014- 04-29 14:41	Create	Action	Notes	113561		User Change
DhsComplaintDocument	2014- 07-24 13:28	Create	Document Type	Miscellaneous Material/Other	95957		User Change

DhsComplaintDocument	2014-07-24 13:28	Create	Document 1	14-06-ICE-0142 Summary of Interview with (b)(6) docx	95957	(b)(6)	User Change
DhsComplaintDocument	2014-07-24 13:28	Create	Dateentered	07/24/2014	95957	(b)(6)	User Change
DhsComplaintDocument	2014-07-24 13:28	Create	Foreign Language	No	95957	(b)(6)	User Change
DhsComplaintDocument	2014-07-24 13:28	Create	Comments	(b)(5),(b)(7)(A)	95957	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Document Type	Incoming Letter	93892	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Document 2	03.20.2014 (b)(6) DHS OIG C1406755.pdf	93892	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Document 1	03.19.2014 (b)(6) pdf	93892	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Foreign Language	No	93892	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Dateentered	03/25/2014	93892	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Comments	Internal Email Thread	93893	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Document Type	Miscellaneous Material/Other	93893	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Document 1	03.21.2014 (b)(6) CRCL internal email.pdf	93893	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Foreign Language	No	93893	(b)(6)	User Change
DhsComplaintDocument	2014-03-25 13:43	Create	Dateentered	03/25/2014	93893	(b)(6)	User Change
DhsComplaintDocument	2014-04-21 17:16	Create	Document 1	03.19.2014 14-06- ICE-0142.pdf	94312	(b)(6)	User Change
DhsComplaintDocument	2014-04-21 17:16	Create	Document Type	Acknowledgement Letter	94312	(b)(6)	User Change

DhsComplaintDocument	2014-04-21 17:16	Create	Dateentered	04/21/2014	94312	(b)(6)	User Change
DhsComplaintDocument	2014-04-21 17:16	Create	Foreign Language	No	94312		User Change
DhsComplaintIssue	2014-03-25 13:55	Create	Ongoing	No	15108		User Change
DhsComplaintIssue	2014-03-25 13:55	Create	Incident Date	03/11/2014	15108		User Change
DhsComplaintIssue	2014-03-25 13:55	Create	Redirect to Subject	No	15108		User Change
DhsComplaintIssue	2014-03-25 13:55	Create	Comments	Search happened at Mrs. (b)(6) house.	15108		User Change
DhsComplaintIssue	2014-03-25 13:55	Create	(b)(5)	(b)(5)	15108		User Change
DhsComplaintIssue	2014-03-25 13:55	Create	Primary Issue	Yes	15108		User Change
DhsComplaintIssue	2014-03-25 13:55	Create	Situation	DHS law enforcement activity	15108		User Change
DhsComplaintIssue	2014-04-14 09:45	Update	State	Virginia - VA	15108		User Change
DhsComplaintIssue	2014-04-14 09:45	Update	Incident Location Type	Residence	15108		User Change
DhsComplaintIssue	2014-04-14 09:45	Update	Comments	Search happened at (b)(6) house, located at (b)(6) Harrisonburg, VA 22801. When this matter was discussed at the 03/27/2014 Compliance case opening meeting, it (b)(5),(b)(7)(A)	15108		User Change
DhsComplaintIssue	2014-04-14 09:45	Update	City	Harrisonburg	15108		User Change
DhsComplaintIssue	2014-04-14 09:45	Update	Incident Location	(b)(6) house	15108		User Change
DhsComplaintPartiesInvolved	2014-04-14 09:37	Update	Contact Type	Sender	25234		User Change
DhsComplaintPartiesInvolved	2014-04-14	Update	Comments	EABM has no record on (b)(6)	25234		User Change

	09:37		(b)(6)		(b)(6)	
DhsComplaintPartiesInvolved	2014-04-14 09:41	Update Address Line 2	(b)(6)	25233		User Change
DhsComplaintPartiesInvolved	2014-04-14 09:41	Update Address Line 1	New Bridges Immigrant Resource Center	25233		User Change
DhsComplaintPartiesInvolved	2014-04-14 09:41	Update Contact Type	Source	25233		User Change
			The complaint identifies a (b)(6) (b)(6) of New Bridges Immigrant Resource Center, as the person who completed the CRCL complaint form on behalf of Ms. (b)(6). The email to CRCL was sent by a (b)(6) (b)(6) of the same organization. It			
DhsComplaintPartiesInvolved	2014-04-14 09:42	Create Last Name	DHS OIG	25296		User Change
DhsComplaintPartiesInvolved	2014-04-14 09:42	Create Contact Type	Source	25296		User Change
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create Address Line 1	(b)(6)	25233		User Change
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create Phone	540 (b)(6)	25233		User Change
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create State	Virginia - VA	25233		User Change
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create Last Name	(b)(6)	25233		User Change
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create City	Harrisonburg	25233		User Change
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create Zip Code	22801	25233		User Change
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create Contact Type	Sender	25233		User Change
DhsComplaintPartiesInvolved	2014-03-25	Create Comments	The complaint identifies a (b)(6) (b)(6) of New Bridges Immigrant Resource Center, as the representative of Ms. (b)(6). The	25233		User Change

	13:46			email is sent from a (b)(6) same organization. It is unclear if (b)(6)		(b)(6)
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create	Sender Anonymous	No	25233	User Change
DhsComplaintPartiesInvolved	2014-03-25 13:46	Create	First Name	(b)(6)	25233	User Change
DhsComplaintPartiesInvolved	2014-03-25 13:47	Create	Address Line 1	(b)(6)	25234	User Change
DhsComplaintPartiesInvolved	2014-03-25 13:47	Create	State	Virginia - VA	25234	User Change
DhsComplaintPartiesInvolved	2014-03-25 13:47	Create	Last Name	(b)(6)	25234	User Change
DhsComplaintPartiesInvolved	2014-03-25 13:47	Create	City	Harrisonburg	25234	User Change
DhsComplaintPartiesInvolved	2014-03-25 13:47	Create	Zip Code	22801	25234	User Change
DhsComplaintPartiesInvolved	2014-03-25 13:47	Create	Contact Type	On Behalf Of	25234	User Change
DhsComplaintPartiesInvolved	2014-03-25 13:47	Create	First Name	(b)(6)	25234	User Change
DhsComplaintPartiesInvolved	2014-04-18 12:37	Update	Comments	EABM has no record on (b)(6) (b)(6) Item 8 of the completed CRCL complaint form states that Ms. (b)(6) is not proficient in English and prefers to communicate in Spanish.	25234	User Change



Homeland Security

September 3, 2014

(b)(6)

1600 Bay St.
P.O. Box M-So Station
Fall River, MA 02724
(b)(6)@ccsdioc.org

Re: Complaint No. 14-07-ICE-0330

(b)(6)

Dear Ms. (b)(6)

On April 22, 2014, the Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received your complaint (b)(6). Thank you for contacting us with your concerns. Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of DHS.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of Inspector General (OIG) for review. If OIG declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome of the investigation.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email address, and mailing address if available, and your alien number if applicable. You may contact CRCL by email at CRCLCompliance@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of someone else, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so.

When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting CRCL. Communications like yours are essential to our ability to carry out our role of supporting the DHS's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact us either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

(b)(6)



Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.



Catholic Social Services
Diocese of Fall River

April 16, 2014

Department of Homeland Security
CRCL/Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, DC 20528

Office for Civil Rights & Civil Liberties

APR 22 REC'D

RE: CIVIL RIGHTS COMPLAINT – SAMNANG KRANH

Central Office:

Fall River
1600 Bay Street
P.O. Box M-So Station
Fall River, MA 02724
Ph: 508-674-4681
Fx: 508-675-2224

Satellite Offices:

Cape Cod
261 South Street
Hyannis, MA 02601
Ph: 508-771-6771

New Bedford
238 Bonney Street
New Bedford, MA 02744
Ph: 508-997-7337

Taunton
78 Broadway
Taunton, MA 02780
Ph: 508-824-3264

Rhode Island
Reaching Out
311 Hooper Street
Tiverton, RI 02878
Ph: 401-624-9270

Arlene A. McNamee
Executive Director

Dear Sir or Madam,

I am writing to file a civil rights complaint on behalf of my client

(b)(6)

Enclosed, please find the following documents pertaining to this complaint:

- (1) DHS Civil Rights / Civil Liberties Complaint Form w/ addendum
- (2) Police Report – April 18, 2012
- (3) Testimony of Agent (b)(6), (b)(7)(C) – December 21, 2012
- (4) Judicial Ruling – 02/04/2013

I appreciate your attention to this matter.

Please don't hesitate to contact my office for further information about Mr. (b)(6) or the April 18, 2012 on his home.

Sincerely,

(b)(6)



ENCLOSURES





Department of Homeland Security (DHS)
Office for Civil Rights and Civil Liberties

Civil Rights Complaint

Fillable Version (last modified 3/15/2011)

The purpose of this form is to assist you in filing a civil rights/civil liberties complaint with the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) regarding DHS programs and activities. This form is not intended to be used for complaints about employment with DHS. You are not required to use this form to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested in the form.

CRCL Mission:

The DHS Office for Civil Rights and Civil Liberties (CRCL) supports the Department as it secures the nation while preserving individual liberty, fairness, and equality under the law. We investigate claims of civil rights and civil liberties abuses, to help DHS improve protections and programs.

Do you have a DHS civil rights or civil liberties complaint? If you believe that DHS personnel or a DHS program or activity has violated your rights, we want to hear from you. Fill out this form, or write us an email or letter.

In connection with a DHS program, activity, or policy, have you experienced:

- Discrimination based on your race, ethnicity, national origin (including language proficiency), religion, gender, or disability? (Note: do not use this form to make a complaint about employment discrimination; see www.dhs.gov/eeo.)
- Denial of meaningful access to DHS or DHS-supported programs, activities, or services due to limited English proficiency?
- Violation of your rights while in immigration detention or as a subject of immigration enforcement?
- Discrimination or inappropriate questioning related to entry into the United States?
- Violation of your right to due process, such as your right to timely notice of charges or access to your lawyer?
- Violation of the Violence Against Women Act's confidentiality requirements?
- Physical abuse or any other type of abuse inflicted upon you?
- Any other civil rights or civil liberties violation related to a DHS program or activity?

Notes on Confidentiality and Anonymity:

- A) You may remain anonymous by not filling in your name, below. However, CRCL may not be able to investigate your complaint unless you provide enough information to conduct an investigation.
- B) Disclosure of the information you provide, including your identity, is on a "need-to-know" basis, and is discussed in the Privacy Statement at the end of this document. **IF YOU CHECK THE BOX BELOW, WE WILL NOT DISCLOSE YOUR IDENTITY TO OTHER OFFICES, IN OR OUT OF DHS (unless it is necessary for investigation of criminal misconduct).** Note, however, that this will in many situations make it very difficult or impossible, practically speaking, for us to investigate the allegations you raise.
- ☐ I do NOT want CRCL to disclose my name to other offices, and understand this decision will often make it impossible for an investigation to take place.
- C) Reprisal against complainants to CRCL is unlawful; if you feel you have been a victim of reprisal, CALL US. 1-866-644-8360.

Complaint Information

If you don't speak/write English, CRCL has access to interpreters and can talk to you in any language.

① **Information about the person who experienced the civil rights/civil liberties violation**

(fill in what you can)

Name: (b)(6) First and Middle (b)(6) Last

Phone #: Cell: contact attorney Home: _____ Work: _____

Please note that we may contact you at the provided numbers.

Mailing Address: (b)(6) Florence, MA 01062

Date of Birth: (b)(6) PO Box or Street address City State Zip

Alien Registration #. (if you have one and it's available): (b)(6) Email (optional):

☐ Check here if you are in detention now.

Which facility? _____

☒ Check here if you are represented by an attorney in this matter. If so please provide the attorney's name and contact information (b)(6) CSS 1600 Bay St, Fall River, MA 02724 508 (b)(6)

② **Are you filling in this complaint form on behalf of another individual? If yes, please provide your information.**

Name: _____

Organization (if any): _____

Phone #: Cell: _____ Home: _____ Work: _____

Mailing Address: _____

③ **What happened?** Describe your complaint. Give as much detail about your experience as possible.

SEE ADDENDUM

Continue on an additional page, if needed.

When did this happen? If ongoing, please indicate when the problem began.

(If it happened on more than one date, list all dates):

April 18, 2012

Where did this happen?

Place (for example, name the detention facility, airport, other):

(b)(6)

City: Fall River

State or Country: MA

④ Who treated you unfairly?

An employee, contractor, or officer of (check as many as apply):

☐ Citizenship and Immigration Services (USCIS)

☐ Customs and Border Protection (CBP)*

☐ Customs Officer

☐ Border Patrol Agent

☐ Federal Emergency Management Agency (FEMA)

☒ Immigration and Customs Enforcement (ICE)

☐ Secret Service (USSS)

☐ Transportation Security Administration (TSA)*

☐ U.S. Coast Guard (USCG)

☐ Other DHS program (specify) :

☐ Not sure which DHS office

☐ Non-DHS employee working under the authority of DHS (e.g., 287g officer) specify: _____

*If your complaint is about an incident at an airport, train station, or border crossing, you may also file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). TRIP and this Office will review your complaint together, resulting in a faster response. Go to: www.dhs.gov/trip.

⑤ List anyone else who may have seen or heard what happened.

(If you do not know their names, provide whatever details you can)

Names (or other information, e.g., agency): (b)(6)

Mailing Address: (b)(6) Florence, MA 01062

Phone No.: 413 (b)(6) Email: _____

Names (or other information, e.g., agency): (b)(6)

Mailing Address: (b)(6) Florence, MA 01062

Phone No.: _____ Email: _____

Continue on an additional page, if needed.

⑥ **Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?**

☒ **Yes:** Agency/Office/Court DHS General Counsel / ICE Principal Legal Advisor Date: 04/15/2014

☐ **No**

If so, has anyone responded to your complaint?

☐ **Yes** ☒ **No**

If Yes, describe what has been done to respond to your complaint:

Continue on an additional page, if needed.

⑦ **Is there any other information you want us to know about or consider?**

The DHS office of General Counsel and ICE office of Principal Legal Advisor were contacted in order to initiate a claim pursuant to the Federal Tort Claims Act.

Continue on an additional page, if needed.

- ⑧ If you are not proficient in English, please indicate the language in which you prefer we communicate with you.

N/A

- ⑨ If you have problems understanding this form or any other question, contact CRCL:

E-mail: crcl@dhs.gov

Phone: Local: 202-401-1474 or

Toll Free: 866-644-8360

TTY: Local TTY: 202-401-0470

Toll Free TTY: 866-644-8361

Fax: 202-401-4708

By U.S. Postal Service:

Department of Homeland Security

CRCL/Compliance Branch

245 Murray Lane, SW

Building 410, Mail Stop #0190

Washington, DC 20528

Note: Because of security measures, it can take up to 4 weeks for us to receive U.S. mail.

- ⑩ To submit this form by email, please save, attach, and send to crcl@dhs.gov. Please attach or send all information that supports your complaint, such as documents, photos, medical records, grievances, or witness statements.

Submit copies, not originals; put your name and the date of this complaint on each document. (Fax to: 202-401-4708, or email scans of your documents to crcl@dhs.gov, or mail to the address listed above.)

Keep a copy of this complaint for your records.

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint.

If your complaint is more appropriately handled by a different federal office, we will refer it to that office. In order to investigate your complaint, CRCL will disclose the information regarding your complaint to other appropriate DHS offices, including the Office of the Inspector General. CRCL may also disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the **types** of complaints, and **do not include personal information**. To read our past reports, go to www.dhs.gov/crcl.

To learn more about the Privacy Act go to the Federal Information Center, www.pueblo.gsa.gov.

You may use the following pages to include additional information about your complaint if needed. Please specify which number(s) above you are continuing.

(b)(6)

ADDENDUM TO DHS CIVIL RIGHTS COMPLAINT

CLAIMANT'S REPRESENTATIVE:

(b)(6)

Catholic Social Services
1600 Bay Street
Fall River, MA 02724

617-(b)(6)

(b)(6)@cssdioc.org

DATE AND DAY OF INCIDENT: Wednesday April, 18 2012

TIME: Approx. 6:30 AM

On April 18, 2012, ICE agents (b)(6),(b)(7)(C) accompanied by five Fall River Police Officers, conducted a raid on Mr. (b)(6) home at (b)(6) Fall River, MA.

Officers entered without consent, warrant or other legal justification. Officers then searched the entire apartment without consent, warrant or other legal justification. Claimant was handcuffed and arrested in view of his three young children and his wife,¹ without legal justification.

Officer (b)(6),(b)(7)(C) who penned the Fall River Police Department report, stated that Agent (b)(6),(b)(7)(C) was "armed with an administrative warrant." In fact, there was no judicial or administrative warrant for the raid, nor any exigent circumstances justifying a warrantless search or seizure. It appears that Officer (b)(6),(b)(7)(C) relied on agent (b)(6),(b)(7)(C) false or misleading statements in concluding that a warrant had been issued. (see attached)

Claimant was intimidated and humiliated by the officers who entered his home in the early morning of April 18, 2012. The early-morning invasion of the family's home, and the subsequent search and arrest, destroyed the family's sense of privacy and security.

On December 12, 2014 Officer (b)(6),(b)(7)(C) gave false testimony in claimant's criminal trial. Agent (b)(6),(b)(7)(C) testimony showed a chilling ignorance of, and disregard for the United States Constitution as well as the statutes and regulations that bind his agency. (see attached)

When ICE agents raided claimants home, his three United States Citizen children were awoken by the sounds of eight armed men pushing their way into the house. At least one of the children witnessed their father being handcuffed, interrogated and removed from the apartment. This was the last they would see their father for almost two years.

¹ Claimant and (b)(6) are not legally married but have three children together and were married in a traditional Khmer ceremony.

Claimant has since been released, but he and children continue to struggle emotionally and financially due to the tortious conduct of federal officers.

Respectfully submitted by (b)(6)
On behalf of (b)(6)
(b)(6)

C E R T I F I C A T I O N

I, (b)(6) OFFICIAL COURT REPORTER, DO HEREBY
CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE TRANSCRIPT
FROM THE RECORD OF THE COURT PROCEEDINGS IN THE ABOVE ENTITLED
MATTER.

I, (b)(6) FURTHER CERTIFY THAT THE FOREGOING
IS IN COMPLIANCE WITH THE ADMINISTRATIVE OFFICE OF THE TRIAL
COURT'S DIRECTIVE ON TRANSCRIPT FORMAT.

I, (b)(6) FURTHER CERTIFY THAT I NEITHER AM
COUNSEL FOR, RELATED TO, NOR EMPLOYED BY ANY OF THE PARTIES TO
THE ACTION IN WHICH THIS HEARING WAS TAKEN; AND FURTHER, THAT I
AM NOT FINANCIALLY, NOR OTHERWISE INTERESTED IN THE OUTCOME OF
THE ACTION.

(b)(6) OFFICIAL COURT REPORTER
PROCEEDINGS TAKEN STENOGRAPHICALLY AND PRODUCED THROUGH COMPUTER
AIDED TECHNOLOGY

(SIGNATURE)

(DATE)

BARNSTABLE SUPERIOR COURT
ROUTE 6A, BARNSTABLE, MA 02630
(508) (b)(6)

(b)(6) OCR; BARNSTABLE SUPERIOR COURT
(508) (b)(6) @jud.state.ma.us

(b)(6)

District Court Department
Fall River Division
No.: (b)(6)

COMMONWEALTH

v.

(b)(6)

MEMORANDUM AND ORDER ON DEFENDANT'S MOTION TO SUPPRESS EVIDENCE

On April 18, 2012 at about 6:30 A.M. a federal Immigration and Customs Enforcement agent accompanied by six to seven Fall River Police Officers including narcotics officers, went to the Defendant's apartment as part of a "roundup" of aliens subject to removal from the country. The ICE agent and the police officers entered the apartment and the police officers searched the premises, finding controlled substances for which the Defendant has been charged in the instant complaint. Neither the police officers nor the ICE agent had an arrest warrant for the Defendant nor a search warrant for the premises.

Following an evidentiary hearing and the testimony of two witnesses, I make the following findings of fact:

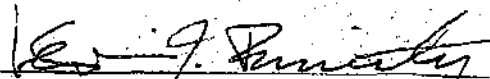
1. Neither the Defendant nor anyone else with authority to do so consented to the entry of the ICE agent or the accompanying Fall River police officers into the apartment where the Defendant was found. I do not credit the testimony that the Defendant made an unequivocal gesture inviting the agent in, and the Commonwealth has not sustained its burden of proving consent to enter.
2. The Defendant had an expectation of privacy in that apartment. Although the apartment was not leased in his name, he resided there and paid all of the bills for the apartment.
3. Absent consent, there was no lawful justification for the agent or police entry into the apartment.
4. The search of the apartment conducted by the Fall River Police Officers exceeded the scope of a protective sweep even if the police officers were lawfully in the apartment and even if they then had lawful grounds to conduct a protective sweep. I do not credit the testimony (which was not that of the officer who claims to have found the contraband) that contraband was found in plain view in the bathroom of the apartment. The police officers did not have probable cause to search the apartment for drugs or other contraband. The "consent" search which followed the illegal entry and the police officers' initial, illegal search in which contraband was

discovered was not voluntary and was tainted by the prior unlawful entry and search. See *Commonwealth v. Arias*, 81 Mass. App. Ct. 342, 350-351 (2012); *Commonwealth v. Midi*, 46 Mass. App. Ct. 591 (1999).

For the foregoing reasons, all evidence obtained following the illegal entry into the apartment is suppressed.

The Defendant's Motion is ALLOWED.

February 1, 2013


Kevin J. Finnerty, District Court Judge

From: CRCL_DHSOIGHotline
To: (b)(6) CRCL_DHSOIGHotline
Cc: (b)(6)
Subject: RE: CRCL Complaint Number 14-07-ICE-0330 - Box 1 Email
Date: Wednesday, August 27, 2014 2:34:12 PM
Attachments: image003.png

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)
Sent: Wednesday, August 20, 2014 2:17 PM
To: CRCL_DHSOIGHotline
Cc: Dent, Martina; Wong, Annie; Gordon, Celia; Mayi, Jackie; Daniels, Nikkeia (CTR); Waller, Jessica (CTR)
Subject: CRCL Complaint Number 14-07-ICE-0330

DHS OIG,

Summary of new complaint for your review:

On April 22, 2014, CRCL received postal mail from (b)(6) of Catholic Social Services Diocese of Fall River on behalf of her client, (b)(6). (b)(6) writes that Mr. (b)(6) was at his home in Fall River, Massachusetts on April 18, 2012, when ICE agents, (b)(6), (b)(7)(C) and five Fall River Police Officers entered and searched Mr. (b)(6) home and placed him under arrest. Ms. (b)(6) states that the officers entered and searched the apartment without consent, warrant, or other legal justification. She writes that ICE Agent (b)(6), claimed to have an "administrative warrant," but disputes that any administrative warrant existed. Ms. (b)(6) alleges that the search and seizure was traumatic for Mr. (b)(6) children, at least one of whom saw Mr. (b)(6) handcuffed, interrogated, and removed from the apartment.

Thank you.

(b)(6)
Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
(202)357-(b)(6)
(b)(6)@associates.hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email.

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-14-0319 14-07-ICE-0330 (b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2014-08-01 12:55	Update	Summary	On April 22, 2014, CRCL received postal mail from (b)(6) of Catholic Social Services Diocese of Fall River on behalf of her client, (b)(6) Ms. (b)(6) writes that Mr. (b)(6) was at his home in Fall River, Massachusetts on Apri	9640	(b)(6)	User Change
DhsComplaint	2014-08-01 12:55	Update	Days to Process	101	9640	(b)(6)	User Change
DhsComplaint	2014-04-30 15:38	Create	Component Referenced	ICE	9640	(b)(6)	User Change
DhsComplaint	2014-04-30 15:38	Create	Summary	On April 22, 2014, CRCL received postal mail from (b)(6) of Catholic Social Services Diocese of Fall Fiver on behalf of her client, (b)(6) Ms. (b)(6) writes that Mr. (b)(6) was at his home in Fall River, Massachusetts on Apri	9640	(b)(6)	User Change
DhsComplaint	2014-04-30 15:38	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	9640	(b)(6)	User Change
DhsComplaint	2014-04-30 15:38	Create	Days to Process	8	9640	(b)(6)	User Change
DhsComplaint	2014-04-30 15:38	Create	Date to CRCL	04/22/2014	9640	(b)(6)	User Change
DhsComplaint	2014-04-30 15:38	Create	Date to DHS	04/22/2014	9640	(b)(6)	User Change
DhsComplaint	2014-04-30 15:38	Create	Date on Correspondence	04/16/2014	9640	(b)(6)	User Change
DhsComplaint	2014-04-30 15:38	Create	Number of Complainants	1	9640	(b)(6)	User Change
	2014-					(b)(6)	

DHS-004-0000911

DhsComplaint	04-30 15:38	Create	Sender Type	NGO/Organization	9640	(b)(6)	User Change
DhsComplaint	2014- 04-30 15:38	Create	Method of Receipt	Standard Mail	9640		User Change
DhsComplaint	2014- 04-30 15:38	Create	Entry Date	04/30/2014	9640		User Change
DhsComplaintAction	2014- 04-30 15:54	Create	Action	Notes	113581		User Change
DhsComplaintAction	2014- 04-30 15:54	Create	Action Date	04/30/2014	113581		User Change
DhsComplaintAction	2014- 04-30 15:54	Create	Comments	On April 25, 2014, (b)(6) tasked (b)(6) with processing this matter. Per (b)(6) (b)(6) (b)(5),(b)(7)(A) (b)(5),(b)(7)(A)	113581		User Change
DhsComplaintAction	2014- 08-28 09:55	Create	Comments	(b)(6) Assigned to (b)(6) (b)(6)	116128		User Change
DhsComplaintAction	2014- 08-28 09:55	Create	Action Date	08/28/2014	116128		User Change
DhsComplaintAction	2014- 08-28 09:55	Create	Action	Awaiting Recommendation	116128		User Change
DhsComplaintAction	2014- 08-28 09:54	Create	Action Date	08/27/2014	116127		User Change
DhsComplaintAction	2014- 08-28 09:54	Create	Action	IG Declines/Back from IG	116127		User Change
DhsComplaintAction	2014- 08-28 09:54	Create	Document	14-07-ICE-0330 (OIG Response 08.27.2014).pdf	116127		User Change
DhsComplaintAction	2014- 08-28 09:53	Create	Action Date	08/20/2014	116126		User Change
DhsComplaintAction	2014- 08-28 09:53	Create	Action	Sent to IG	116126		User Change
DhsComplaintAction	2014- 08-20 14:05	Create	Comments	08/19/2014- Per (b)(6) (b)(5),(b)(7)(A)	115980		User Change
				Assigned to (b)(6)			

			(b)(6)		(b)(6)	
DhsComplaintAction	2014-08-20 14:05	Create Action Date	08/20/2014	115980		User Change
DhsComplaintAction	2014-08-20 14:05	Create Action	Open a Complaint	115980		User Change
DhsComplaintAction	2014-08-20 09:25	Update Comments	On 07/31/2014, (b)(6) provided (b)(6) with the hard copy file. On 08/01/2014, (b)(6) gave it to (b)(6) for his review and recommendation as to how to handle. (b)(5),(b)(6),(b)(7)(A)	115479		User Change
DhsComplaintAction	2014-08-18 09:17	Update Comments	On 07/31/2014, (b)(6) provided (b)(6) with the hard copy file. On 08/01/2014, (b)(6) gave it to (b)(6) for his review and recommendation as to how to handle. (b)(5),(b)(6),(b)(7)(A)	115479		User Change
DhsComplaintAction	2014-08-05 16:19	Update Comments	On 07/31/2014, (b)(6) provided (b)(6) with the hard copy file. On 08/01/2014, (b)(6) gave it to (b)(6) for his review and recommendation as to how to handle. (b)(5),(b)(6),(b)(7)(A)	115479		User Change
DhsComplaintAction	2014-08-01 12:59	Create Action Date	08/01/2014	115479		User Change
DhsComplaintAction	2014-08-01 12:59	Create Action	Notes	115479		User Change
			On 07/31/2014, (b)(6) provided (b)(6)			

DhsComplaintAction	2014-08-01 12:59	Create	Comments	(b)(6) with the hard copy file. On 08/01/2014, (b)(6) gave it to (b)(6) for his review and recommendation as to how to handle.	115479	(b)(6)	User Change
DhsComplaintAction	2014-05-02 13:52	Create	Action	Notes	113621	(b)(6)	User Change
DhsComplaintAction	2014-05-02 13:52	Create	Action Date	05/02/2014	113621	(b)(6)	User Change
DhsComplaintAction	2014-05-02 13:52	Create	Comments	On April 30, 2014, (b)(6) sent (b)(6) the draft routing sheet for review. On May 2, 2014, (b)(6) provided (b)(6) the routing sheet for finalization and updates to Entellitrak.	113621	(b)(6)	User Change
DhsComplaintAction	2014-09-05 10:54	Create	Action Date	09/05/2014	116353	(b)(6)	User Change
DhsComplaintAction	2014-09-05 10:54	Create	Action	Back from Officer	116353	(b)(6)	User Change
DhsComplaintAction	2014-09-05 10:54	Create	Comments	refer	116353	(b)(6)	User Change
DhsComplaintAction	2014-09-05 10:54	Create	Primary Assignment	(b)(6)	116353	(b)(6)	User Change
DhsComplaintAction	2014-09-05 10:54	Create	Action Date	09/05/2014	116351	(b)(6)	User Change
DhsComplaintAction	2014-09-05 10:54	Create	Action	Recommendation Review	116351	(b)(6)	User Change
DhsComplaintDocument	2014-09-03 12:17	Create	Document Type	Acknowledgement Letter	96801	(b)(6)	User Change
DhsComplaintDocument	2014-09-03 12:17	Create	Document 1	04.22.2014 14-07-ICE-0330.pdf	96801	(b)(6)	User Change
DhsComplaintDocument	2014-09-03 12:17	Create	Foreign Language	No	96801	(b)(6)	User Change
DhsComplaintDocument	2014-09-03 12:17	Create	Dateentered	09/03/2014	96801	(b)(6)	User Change
DhsComplaintDocument	2014-05-02 12:00	Create	Document 2	(b)(6) RM Detention History.pdf	94476	(b)(6)	User Change
DhsComplaintDocument	2014-05-02 12:00	Create	Comments	EARM	94476	(b)(6)	User Change

DhsComplaintDocument	2014-05-02 12:00	Create	Document Type	Miscellaneous Material/Other	94476	(b)(6)	User Change
DhsComplaintDocument	2014-05-02 12:00	Create	Document 3	(b)(6) Encounter Record.pdf	ARM 94476	(b)(6)	User Change
DhsComplaintDocument	2014-05-02 12:00	Create	Foreign Language	No	94476	(b)(6)	User Change
DhsComplaintDocument	2014-05-02 12:00	Create	Document 1	(b)(6) Comments Record.pdf	ARM 94476	(b)(6)	User Change
DhsComplaintDocument	2014-05-02 12:00	Create	Dateentered	05/02/2014	94476	(b)(6)	User Change
DhsComplaintDocument	2014-04-30 15:45	Create	Document Type	Incoming Letter	94451	(b)(6)	User Change
DhsComplaintDocument	2014-04-30 15:45	Create	Foreign Language	No	94451	(b)(6)	User Change
DhsComplaintDocument	2014-04-30 15:45	Create	Document 1	04-22-2014 (b)(6) Catholic Social Service.pdf	94451	(b)(6)	User Change
DhsComplaintDocument	2014-04-30 15:45	Create	Dateentered	04/30/2014	94451	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	Incident Location Type	Residence	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	City	Fall River	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	State	Massachusetts - MA	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	Incident Location	(b)(6)	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	Redirect to Subject	No	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	Situation	DHS law enforcement activity	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	(b)(5)	(b)(5)	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	Ongoing	No	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	Primary Issue	Yes	15229	(b)(6)	User Change
DhsComplaintIssue	2014-04-30 15:53	Create	Incident Date	04/18/2012	15229	(b)(6)	User Change
	2014-					(b)(6)	

DhsComplaintPartiesInvolved	05-02 13:56	Update	Contact Type	On Behalf Of	25394	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014- 08-20 09:24	Update	Comments	Ms. (b)(6) an attorney with Catholic Social Services, Dioceses of Fall River, is representing (b)(6) in this complaint.	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:51	Update	Zip Code	02724	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:50	Create	First Name	(b)(6)	25394		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:50	Create	Zip Code	01062	25394		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:50	Create	Address Line 1	(b)(6)	25394		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:50	Create	Last Name	(b)(6)	25394		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:50	Create	City	Florence	25394		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:50	Create	Contact Type	Source	25394		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:50	Create	State	Massachusetts - MA	25394		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:50	Create	Alien Registration	(b)(6)	25394		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:48	Create	First Name	(b)(6)	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:48	Create	Zip Code	01062	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:48	Create	Address Line 1	(b)(6)	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:48	Create	Last Name	(b)(6)	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:48	Create	Email	(b)(6)@ccsdioc.org	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:48	Create	Address Line 2	(b)(6)	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30 15:48	Create	Phone	508 (b)(6)	25393		User Change
DhsComplaintPartiesInvolved	2014- 04-30	Create	City	Fall River	25393		User Change

(b)(6)

User
Change

User
Change



Homeland Security

August 29, 2014

Via electronic mail

(b)(6)

Homestead, FL 33033

(b)(6)

Re: Complaint No. 14-11-ICE-0357

Dear Ms. (b)(6)

On June 12, 2014, the Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received your complaint. It was forwarded to CRCL by the Department of Homeland Security Office of Inspector General. Thank you for contacting us with your concerns. Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of DHS.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of Inspector General (OIG) for review. If OIG declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome of the investigation.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email address, and mailing address if available, and your alien number if applicable. You may contact CRCL by email at CRCLCompliance@hq.dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security

Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, please visit our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of someone else, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint, if you have not already done so.

When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

Thank you again for contacting CRCL. Communications like yours are essential to our ability to carry out our role of supporting the DHS's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact us either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

(b)(6)

Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Authority: 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1 authorizes the collection of this information.

Purpose: The Department of Homeland Security (DHS) will use this information to review and investigate complaints and information from the public about possible violations of civil rights and/or civil liberties relating to DHS employees, programs, or activities.

Routine Uses: This information may be disclosed to and used by personnel and contractors within DHS who have a need to know the information in order to review your complaint. The DHS Office for Civil Rights and Civil Liberties (CRCL) may also share your information, as necessary, with appropriate government agencies outside of DHS or with non-government entities to address your complaint, or pursuant to its published Department of Homeland Security/ ALL-029 Civil Rights and Civil Liberties Records System of Records.

Disclosure: Furnishing this information to CRCL is voluntary; however, failure to furnish the requested information may delay or prevent CRCL from adequately reviewing and investigating your complaint. If necessary, CRCL may also request additional information from you in order to determine the appropriate manner to address your concerns.

To learn more about the Privacy Act, go to www.dhs.gov/privacy.

From: [DHSOIGHotlineMailbox](#)
To: [JOINT INTAKE](#)
Cc: [CRCLCompliance](#)
Subject: DHS OIG C1410568
Date: Thursday, June 12, 2014 11:15:02 AM
Attachments: [C1410568 SummaryReport.pdf](#)

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information is furnished for whatever administrative action or inquiry you consider appropriate. Should your office take any administrative or personnel action in response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: CRCL DHSOIGHotline
To: (b)(6) CRCL DHSOIGHotline
Cc: (b)(6)
Subject: RE: C1410568 CRCL Complaint Number 14-09-ICE-0357
Date: Tuesday, September 02, 2014 10:14:27 AM
Attachments: image003.png

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)
Sent: Friday, August 29, 2014 12:54 PM
To: CRCL DHSOIGHotline
Cc: (b)(6)
Subject: CRCL Complaint Number 14-09-ICE-0357

DHS OIG,

Summary of new complaint for your review:

On June 12, 2014, CRCL received email correspondence from DHS OIG (C1410568) regarding (b)(6). In the email to DHS OIG, Ms. (b)(6) alleges that an ICE SWAT team entered ("invaded") her home located at (b)(6) Homestead, Florida on June 10, 2014, at 6:16 am. Ms. (b)(6) alleged that the agents used excessive force; her naked body was exposed and the agent did not allow her to put on clothes; the handcuff was placed on her too tight; and her personal property was destroyed. Ms. (b)(6) states that she will be seeking compensation for damages as well as humiliation, sexual misconduct and abuse of force.

(b)(6)
Office for Civil Rights and Civil Liberties
Department of Homeland Security
202-357-(b)(6)
(b)(6)@associates.hq.dhs.gov

This message may contain attorney-client communications, attorney work product, and agency deliberative communications, all of which may be privileged and not subject to disclosure outside the agency or to the public. Please consult with the Department of Homeland Security, Office of the General Counsel before disclosing any information contained in this email

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-14-0741 14-09-ICE-0357

(b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2014-08-22 14:26	Update	Allegation	(CR/CL) Civil Rights/Civil Liberty	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:26	Update	Date on Correspondence	06/12/2014	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:26	Update	Days to Process	71	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:26	Update	Date to CRCL	06/12/2014	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:26	Update	Date to DHS	06/12/2014	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:25	Update	Summary	On June 12, 2014, CRCL received email correspondence from DHS OIG (C1410568) regarding (b)(6) (b)(6) In the email to DHS OIG, Ms. (b)(6) alleges that ICE SWAT entered ("invaded") her home located at (b)(6) Street, Homestead, Florida on June 10, 201	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:05	Create	Component Referenced	ICE	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:05	Create	Summary	On June 12, 2014, CRCL received email correspondence from DHS OIG (C1410568) regarding (b)(6) (b)(6) In the email to DHS OIG, Ms. (b)(6) alleges that ICE SWAT entered ("invaded") her home located at (b)(6) Street, Homestead, Florida on June 10, 201	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:05	Create	Days to Process	10	10068	(b)(6)	User Change

DHS-004-0000923

DhsComplaint	2014-08-22 14:05	Create	Date to CRCL	08/12/2014	10068	(b)(6)	User Change
DhsComplaint	2014-08-22 14:05	Create	Date to DHS	08/12/2014	10068		User Change
DhsComplaint	2014-08-22 14:05	Create	Date on Correspondence	08/12/2014	10068		User Change
DhsComplaint	2014-08-22 14:05	Create	Method of Receipt	Email	10068		User Change
DhsComplaint	2014-08-22 14:05	Create	Entry Date	08/22/2014	10068		User Change
DhsComplaint	2014-08-25 14:42	Update	Days to Process	74	10068		User Change
DhsComplaint	2014-08-25 14:42	Update	Summary	On June 12, 2014, CRCL received email correspondence from DHS OIG (C1410568) regarding (b)(6) (b)(6) In the email to DHS OIG, Ms. (b)(6) alleges that an ICE SWAT team entered ("invaded") her home located at (b)(6) (b)(6) Street, Homestead, Florida on June 12, 2014. On 08/25/2014, (b)(6) gave the hard copy file to (b)(6) for review and presentation at case opening meeting if appropriate.	10068		User Change
DhsComplaintAction	2014-08-25 14:32	Create	Comments		116034		User Change
DhsComplaintAction	2014-08-25 14:32	Create	Action Date	08/25/2014	116034		User Change
DhsComplaintAction	2014-08-25 14:32	Create	Action	Notes	116034		User Change
DhsComplaintAction	2014-09-05 13:26	Update	Comments	short form	116394		User Change
DhsComplaintAction	2014-09-05 13:26	Create	Action Date	09/05/2014	116394		User Change
DhsComplaintAction	2014-09-05 13:26	Create	Action	Back from Officer	116394		User Change
DhsComplaintAction	2014-09-05 13:26	Create	Comments	retain	116394		User Change
	2014-						

DhsComplaintAction	09-05 13:26	Create	Primary Assignment	(b)(6)	116394	(b)(6)	User Change
DhsComplaintAction	2014- 09-05 13:25	Create	Action Date	09/05/2014	116393		User Change
DhsComplaintAction	2014- 09-05 13:25	Create	Action	Recommendation Review	116393		User Change
DhsComplaintAction	2014- 09-02 11:24	Create	Action Date	09/02/2014	116237		User Change
DhsComplaintAction	2014- 09-02 11:24	Create	Action	Notes	116237		User Change
DhsComplaintAction	2014- 09-02 11:24	Create	Comments	Given to (b)(6) (b)(6)	116237		User Change
DhsComplaintAction	2014- 09-02 11:24	Create	Action Date	09/02/2014	116236		User Change
DhsComplaintAction	2014- 09-02 11:24	Create	Action	Awaiting Recommendation	116236		User Change
DhsComplaintAction	2014- 09-02 11:24	Create	Comments	08/28/2014 Per (b)(5),(b)(6),(b)(7)(A)	116236		User Change
DhsComplaintAction	2014- 09-02 11:22	Create	Action Date	09/02/2014	116235		User Change
DhsComplaintAction	2014- 09-02 11:22	Create	Action	IG Declines/Back from IG	116235		User Change
DhsComplaintAction	2014- 09-02 11:22	Create	Document	14-09-ICE-0357 (OIG Response 09.02.2014).pdf	116235		User Change
DhsComplaintAction	2014- 08-29 12:51	Create	Action Date	08/29/2014	116178		User Change
DhsComplaintAction	2014- 08-29 12:51	Create	Action	Sent to IG	116178		User Change
DhsComplaintAction	2014- 08-29 12:50	Create	Comments	08/28/2014 Per (b)(5),(b)(6),(b)(7)(A)	116177		User Change
DhsComplaintAction	2014- 08-29 12:50	Create	Action Date	08/29/2014	116177		User Change
DhsComplaintAction	2014- 08-29 12:50	Create	Action	Open a Complaint	116177		User Change
				On 08/25/2014, (b)(6) gave the hard copy file to (b)(6) for review and presentation at case opening meeting if			

				appropriate. On 08/28/2014, (b)(6) assigned this complaint to (b)(6) On 08/29/2014, (b)(6) tasked (b)(6) with handling		(b)(6)	
DhsComplaintAction	2014-08-29 10:46	Update	Comments	(b)(6)	116034		User Change
DhsComplaintDocument	2014-08-22 14:09	Create	Dateentered	08/22/2014	96600		User Change
DhsComplaintDocument	2014-08-22 14:09	Create	Foreign Language	No	96600		User Change
DhsComplaintDocument	2014-08-22 14:09	Create	Document 1	06.12.2014 (b)(6) OIG C1410568.pdf	96600		User Change
DhsComplaintDocument	2014-08-22 14:09	Create	Document Type	Incoming Letter	96600		User Change
DhsComplaintDocument	2014-08-29 15:19	Create	Dateentered	08/29/2014	96770		User Change
DhsComplaintDocument	2014-08-29 15:19	Create	Foreign Language	No	96770		User Change
DhsComplaintDocument	2014-08-29 15:19	Create	Document 1	06.12.2014 14-09-ICE-0357.pdf	96770		User Change
DhsComplaintDocument	2014-08-29 15:19	Create	Document Type	Acknowledgement Letter	96770		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	Incident Date	06/12/2014	15841		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	(b)(5)	(b)(7)(A)	15841		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	Incident Location Type	Residence	15841		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	Redirect to Subject	No	15841		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	State	Florida - FL	15841		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	Incident Location	(b)(6) Street,	15841		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	Ongoing	No	15841		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	Primary Issue	Yes	15841		User Change
DhsComplaintIssue	2014-08-22 14:14	Create	Situation	DHS law enforcement activity	15841		User Change

DhsComplaintIssue	2014-08-22 14:14	Create	City	Homestead,	15841	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:29	Update	Phone	786 (b)(6)	26400	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:29	Update	Comments	(b)(6) Homestead, Fl 33033	26400	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:29	Update	Email	(b)(6)	26400	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:11	Create	Last Name	(b)(6)	26400	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:11	Create	First Name	(b)(6)	26400	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:11	Create	Contact Type	Sender	26400	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:10	Create	Last Name	DHS OIG	26399	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:10	Create	Organization	DHS	26399	(b)(6)	User Change
DhsComplaintPartiesInvolved	2014-08-22 14:10	Create	Contact Type	Source	26399	(b)(6)	User Change



Homeland
Security

September 2, 2014

Via electronic mail

(b)(6)

Houston Contract Detention Center
15850 Export Plaza Drive
Houston, TX 77032

Re: Complaint No. 14-11-ICE-0353

Dear Mr. (b)(6)

On August 7, 2014, the Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received your complaint. Thank you for contacting us with your concerns. Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of DHS.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by CRCL. Initially, we will send your complaint to the DHS Office of Inspector General (OIG) for review. If OIG declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL may contact you during the course of investigation of your complaint. We will ultimately notify you of the outcome of the investigation.

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Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
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Building 410, Mail Stop 0190
Washington, DC 20528

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Sincerely,

(b)(6)

Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

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Grievance No.:

*** ICE GRIEVANCE ***

WASHINGTON

Copy 1 of 5

14-5B

INMATE/RESIDENT GRIEVANCE

FULL NAME:

(b)(6)

(b)(6)

NUMBER:

(b)(6)

HOUSING ASSIGNMENT:

(b)(6)

INFORMAL RESOLUTION ATTACHED (Not required for an emergency grievance)? ☒ YES ☐ NO

GRIEVANCE CATEGORY (CIRCLE ONE):

1. Facility Staff	8. Dental Services	15. Housing
2. Access to Legal Materials	9. Mental Health Services	16. Laundry
3. Denied Access to Informal Resolution/Grievance Process	10. Trust Account	17. Recreation
4. Reprisal for Using Informal Resolution/Grievance Process	11. Commissary	18. Visitation
5. Safety/Security	12. Food Service	19. Programs-education, work, religious, etc.
6. Sanitation	13. Mail	20. Violations of federal or state regulations, laws, court decisions (i.e. ADA or Constitutional rights)
7. Medical Services	14. Intake	21. Other

STATE GRIEVANCE (Include documentation, witnesses, date of incident, and any other information pertaining to the grievance subject. Attach additional pages if necessary.)

While I'm waiting for my appeal with 9th Circuit Court, I have to inform you about the problems of Abuse and mental harassment caused to my family and myself by Immigration and Customs Enforcement. Deportation officer (b)(6), (b)(7)(C) came to my place of work. At the facility he put his hands on me. Rudely asked me to give him my passport. I told him I don't have (b)(6), (b)(7)(C) told L.T. to fire me from my facility job. (Harassing me constantly) I have been served my property here @ facility 2 times! My house were my family lives was RAN SACKED by ICE (Recently) with out a search warrant (Harassing my family) CNN News has been notified. C.R.C. in Washington has been notified. I am scared for my life and don't know what to do please have Deportation officer and ICE STOP Harassing me and my family. Please, I have attached Affidavits of mother, wife and sister of the harassing abuse caused to them by ICE. I'm LU of Class Action Law suit for violation of 4th amendment Civil Right, searching my family home with NO search warrant, two million Dollar (1983) Law suit.

Requested Action: (Attach additional pages if necessary)

- ① Release from custody ASAP. OR
 ② Transfer me ASAP OR
 ③ STOP Harassing me and my family ASAP.

IN LU of 1983 4th Amendment Civil Rights violation.

ALSO CNN Appendix 7.2. A: New interview Authorization form has been signed and sent to CNN, for interview I want

* Interview ASAP. *

(b)(6)

Inmate/Resident's Signature:

Date Submitted:

7-27-14

Appendix 7.2.A: News Interview Authorization Form

Date: 7/28/014
Name of detainee: (b)(6)
A number: (b)(6)
Facility/Location: HPC 15850 Export plaza Center Houston, TX 77032
Name of News Media Representative: CNN
Address of Media Represented: _____

Consent for Interview

I, the above-named detainee, do hereby freely give permission to the above-named news media representative to interview me on or about July 29, 2014 - July 29, 2020 (date), and hereby authorize the news media represented by this person to use any information gathered about me during this interview for any legitimate purpose. I further authorize U.S. Immigration and Customs Enforcement (ICE) and its authorized representatives to release to representatives of the news media any documents or information relating to allegations or comments made by me in this interview.

Detainee's Signature: (b)(6)
Witness' Signature: _____
Witness' Title: (b)(6) "Detainee"

Refusal for Interview

I, the above-named detainee, refuse permission to the above-named news media representative to interview me.

Detainee's Signature: NO
Witness' Signature: NO
Witness' Title: NO

Consent for Recordings and Photos

I, the above-named detainee, do freely give permission to the above-named news media representative to make recordings of my voice during this interview and to make still, movie or video photos of me, and authorize the use of such pictures or recordings for any legitimate purpose by the news media represented by this person.

Detainee's Signature: X (b)(6)

Witness' Signature:

(b)(6)

Witness' Title:

(b)(6)

"Detainees"

§ 241. Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

§ 242. Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

State of TEXAS §

County of HARRIS §

AFFIDAVIT

BEFORE ME the undersigned authority, on this day appeared who identified herself to me and who, under oath, stated the following:

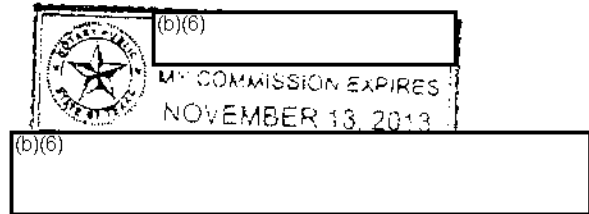
I, (b)(6), currently residing at (b)(6) Bridge City, TX 77611, born on (b)(6) in Ho Chi Minh City, Vietnam do solemnly swear and affirm that:

1. I am a citizen of the U.S. I am married to (b)(6) is currently detained at the Corrections Corporations of America detention facility located at 15850 Export Plaza Drive, Houston, TX 77032. He has been there March 19, 2012.
2. On September 26, 2012, the Immigration Judge ordered him removed for violation of the Controlled Substance laws of the U.S.
3. Sometime after that, (b)(6) received a communication from U.S. Immigration & Customs Enforcement (US ICE) stating his custody status will be reviewed on January 24, 2013.
4. Starting sometime in mid-December 2012, I received about 3-4 phone calls from Mr. (b)(6),(b)(7)(C). He told me he was the ICE officer & he needed (b)(6) passport. I told him I did not have it. Mr. (b)(6),(b)(7)(C) was polite.
5. On January 16, 2013, two ICE officers came to the house where I was living at the time. The house belongs to my mother, (b)(6) & I had been living there before he was detained. I continued to live there after he was detained.

6. One of the officers, named (b)(6),(b)(7)(C) gave his business card to (b)(6) sister (b)(6) (b)(6). She speaks English. I do not speak much English. However, the other ICE officer did not identify himself. He was (b)(6),(b)(7)(C). As soon as they arrived, they asked us to furnish (b)(6) passport. We told them we did not have it.
7. They told us if we did not give them the passport, they would stay there until they found it, even if meant being there till the next day. They also told us that if we gave them the passport, they would set up a schedule so (b)(6) me & our child could go to Vietnam together. Mr. (b)(6),(b)(7)(C) said there were a lot of people like us that don't want to give up the passport. He also told me that if I did not give them the passport, they will keep (b)(6) in jail for as needed because Texas has a lot of funding for this sort of stuff.
8. My mother does not speak English either & she was alone when the ICE officers came. She called me & I went over to the house. Then they asked if they could look around. We did not know what was going on. The officers entered the house. This event started at 1:00 pm.
9. First they looked around the main house, and then they went to the storage area next to the house & looked around into some boxes we kept stored. We followed them around to see what they were looking at.
10. They could not find the passport. At this point they started to threaten us. They said there was an easy way to do this & a difficult way – which way did we want to choose. The event ended about 1.5 hours later. They left around 3:30 pm. They told me to call them when we found the passport.

The contents of the above statements were translated to me from English to Vietnamese & are true and accurate to the best of my ability. Please call me on 713-(b)(6) if there are questions.

Signature of (b)(6)



Subscribed, sworn to and acknowledged before me by (b)(6) this

20th day of August 2013.

Notary Seal

(b)(6)

August 20, 2013

(b)(6),(b)(7)(C)

Field Office Director,
126 Northpoint Drive,
Houston, TX 77060

Re:

(b)(6)

This is to request the release of Mr. (b)(6). I am the attorney of record for Ms. (b)(6) (see attached G-28). Mr. (b)(6) requests post-final order release from custody under Section 241(a) of the Immigration & Nationality Act (the Act). To that effect, he states the following:

1. Mr. (b)(6) was ordered removed by the Immigration Judge (IJ) on September 26, 2012. He waived appeal which made the IJ's order final.
2. In a letter titled "Notice to Alien of File Custody Review" & dated November 26, 2012, Mr. (b)(6) was informed that his custody status would be reviewed on or about January 24, 2013. The letter was "served by" Officer (b)(6),(b)(7)(C). The letter furthermore has a list of documents that Mr. (b)(6) must provide & a questionnaire at the back that asks certain questions in both English & Vietnamese.
3. On January 16, 2013, Mr. (b)(6) wife & sister allege that Officers (b)(6),(b)(7)(C) & (b)(6),(b)(7)(C) traveled to Mr. (b)(6) family's house & searched the contents of his family's house, including items kept in an attached storage area. The family further alleges that the two officers engaged in harassment, threats & intimidation.
4. The officers were allegedly looking for Mr. (b)(6) Vietnamese passport. Mr. (b)(6) his family have consistently maintained that they do not have his passport.

5. Mr. (b)(6) also alleges that on June 28, 2013, Officer (b)(6), (b)(7)(C) came to the facility where he is detained & asked the Lieutenant there to fire him from job he held in detention.
6. Notices of Failure to Comply & Decision to Continue Detention, both letters dated July 31, 2013 issued to Mr. (b)(6) it is signed by "Deciding Official" but no name or title is noted on the letter.
7. Mr. (b)(6) has been in detention for over eleven months at this point.

When a final order of removal is made, the Department of Homeland Security ("DHS") shall have only 90 days to affect removal. The 90 days run from the date of the removal order becomes administratively final or the date of a federal court's final order if judicial review is sought, or . . . INA §241(a)(9)(A) & (B), 8 U.S.C. §1231 (a)(1)(A) & (B). Under 8 U.S.C. §1231(a)(6), the continued detention of a person beyond the time that his removal is "reasonably foreseeable" raises serious constitutional problems, & thus the statute has been construed as not authorizing indeterminate detention. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

Mr. (b)(6) was ordered removed on September 26, 2012. As mentioned above, he has been incarcerated for over eleven months *following* his final order. Mr. (b)(6) challenges the statements made in the Notice of Failure to Comply letter, in that he advised his family not to cooperate. He has filled out the answers to the questions asked in the Notice to Alien of File Custody Review letter. He has maintained that he does not have his passport.

Furthermore, he is deeply disturbed by the actions of Officers Nixon & Manuel who went to the house where his mother & wife reside. His mother is an LPR & his wife is a U.S. citizen. He feels that the officers overstepped their bounds when they went to the house of persons

lawfully in the U.S. & engaged in a search of their personal household effects. They also allege that they intimidated, harassed & threatened the family.

Mr. (b)(6) is a nonviolent person. He does not pose a threat to the community if he is released on an order of supervision. He has only one crime on his record. It is remote in time, with an arrest that occurred sometime in 2003 when he was 17-years of age. He was convicted on June 16, 2004, more than 9 years ago. He does not pose a significant risk of flight if he is released. He was residing with his Legal Permanent Resident ("LPR") mother, his U.S. citizen wife & a U.S. citizen minor child. All his siblings are LPRs as well. He meets all the criteria outlined in 8 C.F.R. 241.4(e)

Indefinite detention of Mr. (b)(6) would violate both 8 U.S.C. §1231(a)(6) & the Due Process Clause of the Fifth Amendment. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). If released, Mr. (b)(6) will reside at (b)(6) Bridge City, TX 77611.

Mr. (b)(6) hopes he has established his eligibility for post-final order release by your office based upon a totality of the circumstances. Please feel free to contact me via telephone on 713-(b)(6) or by email at (b)(6)@yahoo.com if there are any questions. We look forward to a favorable decision by you.

Sincerely,

(b)(6)

Immigration Attorney

Cc:

Office:

Office:

Office:

(b)(6),(b)(7)(C)

DDO

ERO Officer

ERO Officer